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IS THE UNITED STATES PREPARED FOR WAR?

BY FREDERIC LOUIS HUIDEKOPER.

When Washington, in a letter to the President of Congress, dated August 20th, 1780, said that "it is an old maxim that the surest way to make a good peace is to be well prepared for war," he merely repeated in another form what had been said by Roman writers many centuries before his time. One need not be a profound student of history to be able to appreciate fully the disasters gratuitously courted by any nation which is not at all times thoroughly prepared for a final appeal to arms, or to comprehend that rampant patriotism and mere numbers of soldiers do not constitute adequate preparations for war; our own Civil War, the Franco-German War and the recent struggle between Japan and Russia are sufficient proofs. The French "Grand Army" of 1805 was one of the most perfect fighting machines that the world has yet seen. Commanded by the greatest strategist of all time, its Marshals a group of warriors whose renown has still to be equalled by any one set of corps commanders, trained by two years of incessant drill at the Armed Camp at Boulogne, imbued with unbounded enthusiasm, it is small wonder that it proved irresistible at Ulm and later at Austerlitz. Napoelon

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himself declared that the "Army of Austerlitz" was the finest he ever commanded, and yet one of his aides-de-camp, Count Philippe de Ségur, wrote of it:

"However, these great armies, just like *colossi*, are only good to be seen at a distance from which many of the defective details are imperceptible."

Every great general knows only too well how many imperfections must exist in the best of armies and even under the most favorable circumstances, and it was undoubtedly this knowledge which caused General Sherman to declare:

"I cannot help plead to my countrymen, at every opportunity, to cherish all that is manly and noble in the military profession, because Peace is enervating and no man is wise enough to foretell when soldiers may be in demand again."

We Americans are far too prone to boast that everything we possess is "the finest in the world," and we gloat with a pride often offensive over the marvellous achievements of our national career. Superficiality, which is a dominant American trait, has caused us to slumber under a false security, and to believe that, because we have been fortunate enough to be victorious in our past wars, we may continue to rest at ease over the future. The Monroe Doctrine, with its policy of non-interference in European affairs and its dogma that European Powers shall not meddle in the affairs of this continent, has contributed to give us a provincial standpoint from which even the Spanish-American War and our sudden development into a "World Power" have as yet been unable to deliver us entirely. Animated by the deeply rooted Anglo-Saxon repugnance to a large standing army and anything which smacks of militarism in the slightest degree, we as a people cling with astonishing tenacity to the ridiculous fallacy that a citizen with a musket is fully equal, if not superior, to the trained soldier both in courage and efficiency. That we have thus far weathered the storms which the American Ship of State has encountered seems to us to be ample reason why we should content ourselves with the course that we have steered in the past, utterly oblivious to the fact that we have apparently forgotten the lessons which we ought to have learned, and that in every respect, except as concerns our army, we Americans have never been satisfied to follow, but have striven, and in most cases succeeded in our desire, to lead the rest of the world.

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We pride ourselves that we are a peaceful people which does not voluntarily plunge into war; yet our history demonstrates that, since the signing of the Declaration of Independence, for every four and a half years of peace we have had one year of war. The United States has never, thus far, been pitted against the land forces of a first-class military Power: England, although the leading naval Power of the world since the sixteenth century, was not a first-class military Power in 1775-1783, and the blunders of her Sovereign and Cabinet afforded singular aid to the revolting colonies; even in 1812-1815, she had scarcely attained the front rank, and she was, moreover, so involved in her struggle against Napoleon that her Peninsular veterans could not be sent across the ocean until the close of the war, and consequently only participated in the battle of New Orleans which was fought after peace had been signed.

The military establishment of the United States has always consisted of three branches: (1) The Regular Army; (2) The Militia; and (3) The Volunteers. Thanks to the parsimony and short-sightedness of Congress, our Regular Army has invariably been much too small to meet our requirements in time of war—and, indeed, often in time of peace—so that it has always been necessary to depend largely upon the Militia and Volunteers. "Why not?" the opinionated American will reply with characteristic superficiality. "Have we not always had plenty of them at our disposal? And, surely, you cannot ask for better troops than these same Militia and Volunteers were at the close of the Civil War." Granting that it would be impossible to find in military annals more splendid troops than those which the United States possessed in 1865, we must not forget that they were then militia and volunteers in name only. Four years of desperate fighting had transformed them from extremely raw recruits into seasoned veterans of the very highest type.

We have achieved our phenomenal successes by the application of sound business foresight and judgment and progressive business methods to the various problems which we have undertaken to solve, and it is consequently surprising that our people have not, through their Senators and Representatives in Congress, made use of these same methods in dealing with their Army. It may accordingly be well to examine briefly what our wars have cost us in men and money, and why so little has been learned

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from the lessons which the past ought to have taught us. We may begin by scrutinizing the following table:

War.	Regulars.	Militia, etc.	Opponents.	Cost.	Pensions.
Revolution..	231,771[1]	164,087[2]	Ab't 150,605[3]	$370,000,000[4]	$70,000,000[5]
1812.....	56,032[6]	471,622[6]	Ab't 55,000[7]	82,627,009[8]	45,440,790[9]
Creek.....	600[10]	43,921[11]	1,500-2,000[12]	Unestimated	See below
Seminole...	5,911[13]	1,600[13]	Ab't 1,000[14]	8,004,236[15]	See below
Bl'k Hawk..	1,341[16]	4,638[16]	800-1,000[17]	5,446,034[15]	See below
Florida[18]...	20,632[19]	48,152[20]	1,200-2,000[21]	69,751,611[15]	Foot-note[22]
Mexican....	31,024[23]	73,532[24]	Ab't 46,000[25]	88,500,208[15]	36,682,848[26]
Civil.....	67,000[27]	2,605,341[28]	1,000,000[29]	5,371,079,748[30]	3,149,537,669[31]
Spanish....	58,688[32]	223,235[33]	200,000[34]	321,833,254[35]	11,996,198[31]
Philippine..	76,416[36]	50,052[36]	Unestimated	171,326,572[37]	

Probably not one American in a hundred thousand has any conception of the outrageous extravagance in men and money that has characterized every war in which we have been involved.

[1] General Emory Upton, "The Military Policy of the United States," p. 58. This was published by the War Department in 1904, and is the most trustworthy work on the subject ever written. Owing to lack of appropriation, it is now out of print.—[2] Returns and estimates of the Secretary of War; American State Papers, vol. I, pp. 14–19.—[3] Original returns in the British Record Office, quoted by H. B. Carrington, "Battles of the American Revolution," pp. 93, 301, 321, 462, 483, 502 and 646.—[4] Upton, p. 66; Ingersoll, "The Second War," I, p. 14.—[5] Annual report of the Commissioner of Pensions, Aug. 1st, 1904.—[6] Records of the Adjutant-General's Office. Also Upton, p. 137.—[7] Brannan's Letters and Gleig's British Campaigns, quoted by Upton, p. 138. To the above number must be added 1,810 militia and 9,825 Indians.—[8] Annual report of the Secretary of the Treasury, June 30th, 1905. Also Upton, p. 141.—[9] Annual report of the Commissioner of Pensions, June 30th, 1905, p. 10.—[10] 39th U. S. Infantry.—[11] According to the records of the Adjutant-General's Office, Georgia, Tennessee and Mississippi furnished 25,779 and North and South Carolina 18,142 militia. Of these only 15,000 were actually put into the field.—[12] Upton, p. 119.—[13] Upton, p. 149. The figures in the first column represent Regulars, Militia and Volunteers; those in the second column represent subsidized Indians.—[14] Report of the Senate Investigating Committee; American State Papers, II, pp. 739–741.—[15] Annual report of the Secretary of the Treasury for 1905, p. 96.—[16] Records of the Adjutant-General's Office.—[17] Report of Major-General Macomb, commanding the Army. American State Papers, V, p. 29.—[18] Including the Florida War, 1835 to 1842; the Creek War, 1836 to 1838; and the Cherokee War, 1836 to 1838.—[19] Upton, p. 190.—[20] Records of the Adjutant-General's Office.—[21] General Call's report to the President, dated Jan. 9th, 1836. American State Papers, VII, p. 218.—[22] Annual report of the Commissioner of Pensions, June 30th, 1905, p. 10, gives the total pensions paid out for the Indian Wars as amounting to $7,637,268.53.—[23] Upton, p. 221.—[24] *Ibid*, p. 216.—[25] Alphabetical List of Battles, 1754–1900, pp. 236–237. Compiled from official records by Newton A. Strait.—[26] Annual report of the Commissioner of Pensions, June 30th, 1905, pp. 10–11.—

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From a purely business standpoint, the above figures are indicative of puerile short-sightedness and criminal blundering, such as would not be tolerated for a moment in any properly managed company or corporation in the United States. One example drawn from Upton will suffice to demonstrate how needlessly extravagant we have been, considering how disproportionately small have been the results achieved:

"The troops called out during this fruitless campaign [1814] numbered: Regulars, 38,186; Militia, 197,653; total, 235,839.

"Of the militia 46,469 from the State of New York were employed on the Canadian frontier, while *more than 100,000 from Pennsylvania, Maryland and Virginia were called out to repel the incursion of the 3,500 British along the shores of the Chesapeake.*

"Notwithstanding these enormous drafts, *such were the faults of our organization and recruitments, that the utmost strength we could put forth on the field of battle was represented at Lundy's Lane by less than 3,000 men.* Nor was this evidence of national weakness our only cause of reproach. *Boasting at the outset of the contest that Canada*

[27] Phisterer, Statistical Record of the Armies of the United States (Campaigns of the Civil War Series), p. 11.—[28] Official records in the office of the Military Secretary; Memorandum relative to the probable number and ages of Army and Navy survivors of the Civil War, p. 4 (published by the Military Secretary's office, May 15th, 1905); Reply of the Military Secretary, dated Aug. 28th, 1905, to the writer's letter of inquiry. The total number of soldiers, both regular and volunteer, was 2,672,341.—[29] "Battles and Leaders of the Civil War," IV, p. 768. The numbers employed by the Confederacy have been variously estimated from 700,000 to 1,500,000. Livermore, "Numbers and Losses in the Civil War of America," p. 63, reckons the numbers as between 1,227,890 and 1,406,180. These calculations are at best conjectural, since, as the Military Secretary wrote, on August 28th, 1905, to the author of this article: "No compilation has ever been prepared by this [the War] Department from which even an approximately accurate statement can be made concerning the number of troops in the Confederate Army, and it is impracticable to make such a compilation because of the incompleteness of the collection of Confederate records in possession of the Department."—[30] Senate Executive Document No. 206, Forty-sixth Congress, Second Session. Letter of John Sherman, Secretary of the Treasury, to Hon. William A. Wheeler, President of the Senate, 1880, transmitting the statement of "Expenditures necessarily growing out of the War of the Rebellion, July 1st, 1816, to June 30th, 1879," a total of not less than $6,189,929,908.58.—[31] Report of the Commissioner of Pensions for 1905, pp. 10 and 11.—[32] Report of the Adjutant-General, Nov. 1st, 1898, in the report of the Secretary of War for 1898, pp. 145, 147 and 260.—[33] Statistical Exhibit of Strength of Volunteer Forces called into service during the War with Spain, issued by the Adjutant-General, Dec. 13th, 1899. Also Strait, pp. 208–209.—[34] International Year Book for 1898, p. 722; Lodge, "History of the War with Spain," p. 18.—[35] Report of the Secretary of the Treasury for 1905, p. 98.—[36] Report of the Adjutant-General, Nov. 1st, 1898.—[37] From May, 1898, to April, 1902, both inclusive, according to the statement sent to the Senate by the Secretary of War, June 19th, 1902.

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could be 'captured without soldiers, and that a few volunteers and militia could do the business,' our statesmen, after nearly three years of war, had the humiliation of seeing their plan of conquest vanish in the smoke of a burning capital."

The lamentable policy of retrenchment in time of peace, to which our legislators have invariably adhered, is nothing less than the "penny wise, pound foolish" policy which every sane business man heartily condemns. The results entailed by this false economy furnish a further corroboration of the fact that our military policy has always been unsound from a financial as well as a numerical standpoint, as will appear from the following table:

COST OF U. S. MILITARY ESTABLISHMENT BY PERIODS

Period.	Condition.	Cost.
1791-1811[1]	Peace	$35,669,930 65
1812-1816	Including the War of 1812	82,627,009 14
1817-1835	Minor Indian Wars. Army averaging under 6,000 officers and men	90,411,068 59
1836-1843	Florida War	69,751,611 50
1843-1845	Peace. Army reduced	13,873,146 89
1846-1849	Including the Mexican War	88,500,208 38
1850-1860	Peace. Army reduced	168,079,707 57
1861-1865	Including the Civil War	2,736,570,923 50
1866-1869	Forces large, because of French occupation of Mexico	583,749,510 99[2]
1870-1897	Peace. Army reduced	1,211,321,300 94
1898-1899	Including Spanish-American War	321,833,254 76
1900-1902	Including Philippine War	391,662,681 06
1903-1905	Peace	355,830,004 97
	Total cost since 1790	$6,149,880,358 94[3]
	Total cost of pensions since 1790	$3,359,185,901 02[3]

What do American taxpayers who have had to foot some of these bills think of these figures? How long do they suppose that the stockholders in any bank or railway company would tolerate any such mismanagement? How long would the officials or directors be permitted to remain in power if they could produce no better results in return for such enormous expenditures? The mere expense of maintaining armaments, however costly, is by no means the only item to be considered in war; the outpouring of men to meet the call to arms, the disturbance of all business, economic and political conditions are additional factors which must not be disregarded. When one considers that sacrifices involving pecuniary loss to every individual have always

[1] Throughout this table the dates given are "both inclusive" in each instance.—[2] Including outstanding warrants amounting to $3,621,780.07.—[3] Annual report of the Secretary of the Treasury for 1905, pp. 96 and 98.

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been willingly met, and that our military forces have nearly always been disgracefully beaten at the beginning of every war, save one, it is indeed a veritable enigma that the nation has not long ago awakened to the mismanagement of its affairs and risen in anger against the indignities to which it has been subjected by its own servants.

It may be worth while to examine briefly the military history of the United States, taking care, as Upton warns us,

"to bear in mind the respective duties and responsibilities of soldiers and statesmen. The latter are responsible for the creation and organization of our resources, and, as in the case of the President, may further be responsible for their management or mismanagement. Soldiers, while they should suggest and be consulted on all the details of organization under our system, can alone be held responsible for the control and direction of our armies in the field."

In a speech made to both Houses of Congress on December 3rd, 1793, Washington said:

"I cannot recommend to your notice measures for the fulfilment of our duties to the rest of the world without again pressing upon you the necessity of placing ourselves in a condition of complete defence, and of exacting from them the fulfilment of their duties towards us. The United States ought not to indulge a persuasion that, contrary to the order of human events, they will forever keep at a distance those painful appeals to arms with which the history of every other nation abounds. *There is a rank due to these United States among nations which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace,* one of the most powerful instruments of our rising prosperity, *it must be known that we are at all times ready for war.*"

This dictum is applicable with equal force to every nation and every era. Why did the United States not attain the front rank among the nations of the world until the autumn of 1898? There is only one answer: because at no time in its national career, except at the end of the Civil War, was it capable of showing itself fully prepared to repel insult by force of arms at a moment's notice.

The errors committed during the Revolutionary War are thus vividly told in a letter written on August 20th, 1780, by Washington to the President of Congress:

"To one who has been a witness of the evils brought upon us by short enlistments, the system appears to have been pernicious beyond descrip-

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tion, and a crowd of motives press themselves to dictate a change. It may easily be shown that all the misfortunes we have met with in the military line are to be attributed to this cause.

"Had we formed a permanent army in the beginning, which, by the continuance of the same men in service, had been capable of discipline, we never should have had to retreat with a handful of men across the Delaware in 1776, trembling for the fate of America, which nothing but the infatuation of the enemy could have saved; we should not have remained all the succeeding winter at their mercy, with sometimes scarcely a sufficient body of men to mount the ordinary guards, liable at every moment to be dissipated, if they had only thought proper to march against us; we should not have been under the necessity of fighting Brandywine, with an unequal number of raw troops, and afterwards of seeing Philadelphia fall a prey to a victorious army; we should not have been at Valley Forge with less than half the force of the enemy, destitute of everything, in a situation neither to resist nor to retire; we should not have seen New York left with a handful of men, yet an overmatch for the main army of these States, while the principal part of their force was detached for the reduction of two of them; we should not have found ourselves this spring so weak as to be insulted by 5,000 men, unable to protect our baggage and magazines, their security depending on a good countenance and a want of enterprise in the enemy; we should not have been, the greatest part of the war, inferior to the enemy, indebted for our safety to their inactivity, enduring frequently the mortification of seeing inviting opportunities to ruin them pass unimproved for want of a force which the country was completely able to afford, and of seeing the country ravaged, our towns burnt, the inhabitants plundered, abused, murdered, with impunity from the same cause.

"Nor have the ill effects been confined to the military line. A great part of the embarrassments in the civil departments flow from the same source. The derangement of our finances is essentially to be ascribed to it. The expense of the war and the paper emissions have been greatly multiplied by it. We have had a great part of the time two sets of men to feed and pay—the discharged men going home, and the levies coming in. This was more remarkably the case in 1775 and 1776. The difficulty and cost of engaging men have increased at every successive attempt, till among the present lines we find that there are some who have received $150 in specie for five months' service, while our officers are reduced to the disagreeable necessity of performing the duties of drill sergeants to them, with this mortifying reflection annexed to the business, that, by the time they have taught these men the rudiments of a soldier's duty, their services will have expired and the work recommenced with a new set. The consumption of provisions, arms, accoutrements and stores of every kind has been doubled in spite of every precaution I could use, not only from the cause just mentioned, but from the carelessness and licentiousness incident to militia and irregular troops. Our discipline also has been much hurt, if not ruined, by such constant changes. The frequent calls upon the militia have interrupted the cultivation

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of the land, and of course have lessened the quantity of its produce, occasioned a scarcity, and enhanced the prices. In an army so unstable as ours, order and economy have been impracticable. No person who has been a close observer of the progress of our affairs can doubt that our currency has depreciated without comparison more rapidly from the system of short enlistments than it would have done otherwise.

"There is every reason to believe that the war has been protracted on this account. Our opposition being less, the successes of the enemy have been greater. The fluctuation of the army kept alive their hopes, and at every period of the dissolution of a considerable part of it they have flattered themselves with some decisive advantages. *Had we kept a permanent army on foot the enemy could have had nothing to hope for, and would in all probability have listened to terms long since.*

"If the army is left in the present situation, it must continue an encouragement to the efforts of the enemy; if it is put upon a respectable one, it must have a contrary effect, and nothing, I believe, will tend more to give us peace the coming winter. Many circumstances will contribute to a negotiation. An army on foot not only for another campaign, but for several campaigns, would determine the enemy to pacific measures, and enable us to insist upon favorable terms in forceable language; an army insignificant in numbers, dissatisfied and crumbling to pieces, would be the strongest temptation they could have to try the experiment a little longer. It is an old maxim, that *the surest way to make a good peace is to be well prepared for war.*"

From a military point of view the errors of the Revolutionary War may be summed up under ten headings, viz.:

(1) Enlisting of volunteers for too short periods of service; (2) entirely too great a dependence placed upon the militia; (3) substituting or increasing the armies in the field by new and untrained organizations, instead of keeping the former up to their full strength; (4) pernicious use of bounties, both State and National—the logical result of short enlistments and dearth of proper provisions for recruiting; (5) depriving organizations of their officers by detailing them on detached duty, owing to the failure to provide the requisite number of officers for staff duty, recruiting, etc.; (6) final expedient of drafting troops; (7) enormously increased expense caused by the unnecessarily large number of troops under pay, the wanton waste resulting from lack of discipline and the heavy losses from sickness which is inevitable among raw troops; (8) needless protraction of the war, owing to the inefficiency of the troops employed; (9) absolute lack of definite policy by Congress at any time during the war—consequent inability of the commander-in-chief to frame any sound plan of campaign, and the necessity of resorting to inadequate and costly makeshifts; and (10) unnecessary increase in the pension list.

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Let us now examine briefly the laws enacted by our sage legislators, and see how much profit they have derived from these awful lessons which so nearly lost us our independence.

In the midst of the most critical period in the history of the United States, when the national credit at home and abroad was completely exhausted, and when the country was rapidly drifting into a state of anarchy, Congress on June 2nd, 1784, resolved:

"That the commanding officer be, and he is hereby, directed to discharge the troops now in the service of the United States, *except twenty-five privates* to guard the stores at Fort Pitt and *fifty-five* to guard the stores at West Point, and other magazines, *with a proportionate number of officers;* no officer to remain in service above the rank of captain, and those privates to be retained who were enlisted on the best terms: *Provided,* That Congress before its recess shall not take other measures respecting the disposition of those troops."

On the very next day, totally ignoring the disasters occasioned by employing raw levies during the Revolution, Congress passed the following measure:

"Whereas a body of troops to consist of 700 non-commissioned officers and privates, properly officered, are immediately and indispensably necessary for securing and protecting the Northwestern frontiers of the United States, and their Indian friends and allies, and for garrisoning the posts soon to be evacuated by the troops of His Britannic Majesty:

"*Resolved,* That it be, and it is hereby, recommended to the States hereafter named, and as most conveniently situated, to furnish forthwith from their militia 700 men, to serve for twelve months unless sooner discharged, in the following proportions: Connecticut, 165; New York, 165; New Jersey, 110; Pennsylvania, 260; making in the whole 700:

"*Resolved,* That the Secretary of War take order for forming the said troops when assembled into one regiment to consist of eight companies of infantry and two of artillery, arming and equipping them in a soldierlike manner."

Within a year, Congress awoke to the realization that these militia were totally inadequate, and that regular troops were indispensable; accordingly, on April 1st, 1785, it resolved:

"That it is necessary that a body of troops consisting of 700 non-commissioned officers and privates be raised for the term of three years,

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unless sooner discharged, for the protection of the Northwestern frontiers, to defend the settlers on the land belonging to the United States from the depredations of the Indians and to prevent unwarranted intrusion thereon, and for guarding the public stores."

On April 7th and 12th, supplemental legislation was enacted, specifying the States which were to furnish the recruits and defining the organization of this first regular regiment of the United States Army (the present 3rd Infantry).

Shay's rebellion (December, 1786) which seriously imperilled the Government arsenal at Springfield, Mass., coupled with a desire to "save the great expense of transporting new levies to the distant frontiers" and "to avail the public of the discipline and knowledge of the country" acquired by the Regulars raised in 1785, caused Congress to offer inducements to the men to reenlist by voting, on October 3rd, 1787, "that seven hundred noncommissioned officers and privates be raised for the term of three years, unless sooner discharged."

In consequence of the adoption and ratification of the Constitution, the military as well as the civil affairs required overhauling, and a War Department was created by the law of August 7th, 1789. The Act of September 29th laid the foundations of our present Army by recognizing "the establishment for the troops in the service of the United States," by requiring all officers and men to take an oath of allegiance, and by vesting the power to appoint officers in the President alone. By virtue of the 5th section the President was authorized, whenever it might be necessary to protect the frontiers against the Indians, to call into service such militia as he should deem requisite, such militia when in service to have the same pay and subsistence as the Regulars.

The first general organization of the Army under the Constitution was effected by the Act of April 30th, 1790, which fixed the strength of the regular establishment at one regiment of infantry and one battalion of artillery, numbering respectively 962 and 321 officers and men. General Harmar's expedition against the Miamis again demonstrated the folly of depending upon newly formed militia, and forced Congress to add another regiment of Regulars to be enlisted for three years. By virtue of the 8th section of this Act of March 3rd, 1791, the President was empowered to employ, "for a term not exceeding six months,"

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a corps of 2,000 non-commissioned officers, privates and musicians in addition to, or in place of, the militia, and, if such a corps should not be raised in time for active operations, to make good the deficiency by raising additional levies or by calling into service an equal number of militia; while the 9th section authorized him "to organize the said levies, and alone to appoint the commissioned officers thereof, in the manner he may judge proper." As Upton remarks:

"The above legislation merits our closest scrutiny. Here was laid the foundation of the volunteer system, which attained its fullest development during our long Civil War. The 'levies,' known later as 'volunteers,' were authorized under the plenary power of Congress to 'raise and support armies,' and the power of appointing their officers was given the President, to whom it obviously belonged, as the 'levies' were wholly distinct from the militia or State troops.

"The subsequent transfer of this power from the President to the Governors of the States was a voluntary return to the practice under the Confederation and a surrender of the prerogatives of the General Government under the Constitution."

The disastrous rout of General St. Clair's expedition by the Indians caused Congress to increase the strength of the Army to 258 officers and 5,414 men, by the Act of March 5th, 1792. For the succeeding twenty years the legislative enactments, depending largely upon our foreign relations and upon the troubles with the Indians, caused the force of the Regular Army to vary greatly, as will be seen from the following table:

STRENGTH OF THE REGULAR ARMY AS AUTHORIZED BY CONGRESS.[1]

Date.	Officers.	Men.	Total.
1796 to 1798.....	233	3,126	3,359
1798.....	783	13,638	14,421
1799.....	2,447	49,244	51,691
1800 to 1801.....	318	4,118	4,436
1802 to 1808.....	241	3,046	3,287
1808 to 1812.....	774	9,147	9,921

During this entire period, by far the most important measure was the Act of March 16th, 1802, in which the repeated urgings of Washington, Hamilton, Knox and Pickering were heeded by the establishment of a Military Academy at West Point; and only

[1] F. B. Heitman, "Historical Register and Dictionary of the United States Army, 1789 to 1903," II, p. 626. This work was compiled from official sources. The actual strength of the Army was naturally always less than the authorized strength.

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second in importance to the above law, was the Act of March 2nd, 1799, the provisions of which would unquestionably have prevented most of our subsequent disasters had they only been retained in force. From 1802 to 1808, all Congressional measures, whether offensive or defensive, were directed toward the almost exclusive use of the militia and volunteers. Notwithstanding that a quarrel with England had been brewing since 1807, and by 1810 was recognized to be unavoidable, Congress was so culpably negligent of the urgent needs of the nation for additional protection that, in July, 1812, the Army did not actually exceed 6,686 officers and men, short enlistments were again resorted to and the outbreak of war found the entire military establishment in the utmost chaos. The fruits of the vicious military policy which had been so persistently followed by Congress were reaped in a succession of failures, defeats and disgraces, culminating with the burning of Washington, which are still an indelible blot upon our national history, and few of us realize that, in spite of our employment of nearly half a million militia and volunteers, "*the only decisive victory of the War of 1812 before the conclusion of the treaty of peace was at the battle of the Thames, where the force of the British regulars dispersed and captured numbered but little more than 800.*"

In 1814, the Army numbered on paper 62,674 officers and men, whereas its actual strength in September of that year was only 38,186, and the succession of disasters caused desertion to such an extent that by February, 1815, it had dwindled to 33,424. At the close of the war, the policy of retrenchment was again resorted to, and by the Act of March 3rd, 1815, the Army was reduced to 10,024. The Act of April 24th, 1816, important as it was in many respects, did not affect the strength of the Army which fell off until it reached a minimum of 5,211 in 1822, by virtue of the Act of March 2nd, 1821, which reduced its paper strength of 12,664 to 6,183. The actual force of Regulars did not vary 2,000 from that number for seventeen years until the complications with Great Britain caused Congress to increase it to 12,539 by the Acts of July 5th and 7th, 1838, although the maximum actual strength of 11,169 was not attained until November, 1841. On August 23rd, 1842, only nine days after the official announcement of the termination of hostilities in the Florida War, Congress lost no time in reducing the Army to 8,613, which

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constituted approximately its strength until the outbreak of the Mexican War on May 11th, 1846. Within the next ten months and by virtue of seven Acts of Congress, the military establishment was increased on paper to 30,865—although its actual numbers in November, 1847, did not exceed 21,686; but the very month after the ratification of the treaty of peace had been proclaimed, it was forthwith reduced to 10,317 (Act of August 14th, 1848), remaining within 1,000 of this number until November, 1854. The hostility of the Indians caused the President to avail himself of the authority given him by the Act of June 17th, 1850, and to order the companies west of the Mississippi to be recruited up to their full complement; this order, in conjunction with the Act of March 3rd, 1855, gave the Army an actual force of 15,752 officers and men, from which it did not vary 1,800 until the outbreak of the Civil War.

Throughout the entire period from 1802 to 1860 and notwithstanding the lessons of the Revolution, which each succeeding war demonstrated anew, Congress persisted, whenever hostilities were imminent or larger forces than the Regular Army were required, in confiding the destinies of the nation to a hurriedly collected militia, which, by the very nature of its composition and lack of training, was utterly unfit to cope with the situation. Added to the lack of a sound military policy displayed by our legislators in adhering to short enlistments, in increasing the armies in the field by raw organizations, in the use of bounties and in repeating all the mistakes made during the War of Independence, the incapacity of the militia obliged the Government to employ many times the number which would have amply sufficed had trained soldiers been used, needlessly prolonged wars that could have been terminated much sooner and caused expenditures which the magnitude of the operations never once justified. The Mexican War alone added real lustre to the American arms; and this may be reasonably attributed to the fact that circumstances permitted enough time to be gained at the beginning of the war to give the volunteers some much-needed training, and that the Government was wise enough to employ a larger percentage (30 per cent.) of Regular troops than in any war before or since. The value of trained forces is evinced by the fact that they achieved an unbroken chain of victories, notwithstanding that official documents prove that their suc-

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cesses were won "under the very same system of laws and executive orders which, in the preceding foreign war (1812), had led to a series of disasters culminating in the capture and destruction of our capital."

How little heed had been paid by Congress to the lessons of the past has been thus admirably summarized by Upton:

"*At the close of the year 1860, we presented to the world the spectacle of a great nation nearly destitute of military force.* Our territory from ocean to ocean exceeded 3,000,000 square miles; our population numbered 31,000,000.

"*The Regular Army,* as organized, consisted of 18,093 officers and men, but according to the returns it *numbered only 16,367.*

"The line of the Army was composed of 198 companies, of which 183 were stationed on the frontier or were *en route* to distant posts west of the Mississippi. The remaining 15 companies were stationed along the Canadian frontier and on the Atlantic coast from Maine to the Gulf of Mexico.

"*As a guard for the national frontiers, the Army could not furnish two soldiers per mile; for protecting the settlements in the States and Territories west of the Mississippi but one soldier was available for every 120 square miles; to aid in the enforcement of the laws in the remaining States of the Union we had but one soldier for every 1,300 square miles.*

"*The militia for a sudden emergency were scarcely more available than the Army. Nominally they numbered more than 3,000,000, but mostly unorganized. So destitute were they of instruction and training that*—a few regiments in the large cities excepted—*they did not merit the name of military force.*

"Such was the condition of the national defence when, on the 20th of December, 1860, South Carolina in convention passed the ordinance of secession."

It is beyond the scope of this article to describe *in extenso* all the errors committed during the Civil War. Suffice it to say that, for want of a Regular Army of sufficient size and expansiveness, or a proper force of trained militia capable of crushing the Confederacy at its inception, recourse had to be had to raw troops, in which the President and his Cabinet showed at the outset the same blind confidence which their predecessors had manifested in 1812. The logical result followed; these undisciplined volunteers ran away in a most disgraceful manner at the first battle of Bull Run, and the opening year of the war was marked by an almost unbroken chain of disasters, in spite of the fact that the Government called out no less than 807,557

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troops—669,243 of which responded—at a cost of more than $238,000,000. Oblivious to the lessons of preceding wars, the folly of short enlistments was again committed, the Constitution had to be violated in order to meet the sudden emergency, the armies in the field were reinforced by new and untrained regiments, which, through ignorance and lack of discipline, suffered from unnecessary sickness, causing at the same time criminal waste and expense. Large bounties and even forced drafting had to be resorted to within two years and, lastly, no definite military policy worthy of the name was followed until General Grant was appointed Commander-in-Chief. In a word, all the errors of the Revolution were repeated *ad nauseam*. Blunder after blunder was committed by volunteer officers whose ignorance was only excelled by their courage, yet Congress never permitted the Regular Army to be increased beyond a paper strength of 39,273 officers and men (Acts of July 29th and August 3rd, 1861). This dearth of properly trained soldiers at the beginning of hostilities caused the war to be needlessly prolonged for four years; and, indeed, it is highly doubtful if it would have been brought to a successful termination even then had it not been for the iron circle of blockade which the Navy drew around the coasts of the Confederacy At the close of the war, the volunteers had acquired a training which made them comparable to any armies that have ever existed, but at what an awful cost; more than 2,600,000 had had to be called into service, the United States Government spent no less than $5,775,910,672.78, and the pensions paid out for this war alone have amounted to the fabulous sum of $3,149,537,669.52. On March 31st, 1862—nearly one year after the outbreak of the war—the United States had in service an army of 637,126 regulars and volunteers, whereas the Confederacy possessed only 200,000 and nevertheless was unsubdued. The difference between the respective policies has been thus admirably epitomized by Upton:

"The Government sought to save the Union by fighting as a Confederacy; the Confederates sought to destroy it by fighting as a nation. The Government recognized the States, appealed to them for troops, adhered to voluntary enlistments, gave the Governors power to appoint all commissioned officers and encouraged them to organize new regiments. The Confederates abandoned State sovereignty, appealed directly to the people, took away from them the power to appoint com-

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missioned officers, vested their appointment in the Confederate President, refused to organize war regiments, abandoned voluntary enlistments, and, adopting the republican principle that every citizen owes his country military service, called into the army every white man between the ages of 18 and 35."

When the Confederacy was at last crushed and the great armies of veteran volunteers had been disbanded, the disturbed condition of the South and the violation of the Monroe Doctrine by the French invasion of Mexico compelled Congress to increase the Regular Army to 54,641 by the Act of July 28th, 1866; but, three years later, when the French Government had withdrawn its forces, the Army was reduced to 37,313 by the Act of March 3rd, 1869. A succession of Acts, culminating in that of June 26th, 1876, effected a further reduction to 27,472 officers and men, the maximum of enlisted men being definitely fixed at 25,000 by the Act of June 16th, 1874. For the following twenty-two years, the actual strength of the military establishment never exceeded 28,000, until the Act of March 8th, 1898, added two regiments of artillery, thus bringing its number up to 28,747 on paper. In spite of all the lessons of the past, we have seen, as Captain Rhodes points out in his admirable Gold Medal Prize Essay of the Military Service Institution for 1904, that:

"The war with Spain, declared from the 21st of April, 1898, found us with the smallest Regular Army, in proportion to population, that we have had at the beginning of any of our wars. It consisted of but 2,143 officers and 26,040 enlisted men, *or less than four-tenths of one per cent. of our estimated population.*"

Although Congress, by the Act of April 26th, 1898, authorized an increase of the Regular Army to 64,719, the actual operations necessarily began much too soon to permit this augmentation to be effected in time to meet the emergency; and, as usual, recourse was had to the militia, from which 200,000 volunteers were called out by the President's proclamations of April 22nd and May 25th. As Captain Rhodes tells us:

"A not unexpected deduction from our experiences in the Mexican and Civil Wars was that the efficiency of American volunteers was to be measured by the previous training, professional zeal and soldierly discipline of their officers. The enlisted personnel has ever been of splen-

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did natural quality, and has not varied considerably in different regiments. Trained officers have by no means been numerous.

"The Spanish War was no exception in this respect, because the same obsolete system of selection of officers was followed as in former wars, and naturally the same results followed."

The events of this war are still too vivid in the minds of all of us to require chronicling here. Congress, as usual, failed to provide the necessary supplies until the very eve of mobilization and concentration, so that some of the volunteer regiments reported for duty without arms, accoutrements, ammunition or clothing. The confusion in the various camps, the dearth of proper supplies and equipment, the lack of adequate means of transport, the wild chaos at Tampa, the criminal waste of provisions which could not be found, the bungling which marked the embarking at Tampa and the landing at Daiquiri and Siboney, the blundering conduct of the operations culminating at Santiago and the wholly unnecessary sufferings of the troops by reason of their ignorance, coupled with the paucity of medical stores, field and base hospitals, afford a spectacle of unpreparedness and incapacity of which we Americans ought to be heartily ashamed. Judged by a purely military standard, the invasion of Cuba was a trivial affair; but never in modern times has there been an expedition which contained so many elements of weakness; that it succeeded at all is, indeed, a marvel. *The disorders, demoralization and incapacity which attended the opening operations were nothing but the logical outcome of the unwillingness of Congress to prepare for war until the last possible moment, and merely demonstrated once again the utterly vicious system to which our legislators have persistently bound us, by neglecting to provide a force of thoroughly trained soldiers either large enough or elastic enough to meet the requirements of war as well as of peace, supported by a militia which has previously had sufficient training to make it, when called out as volunteers, fairly dependable against the regular forces of other nations.*

FREDERIC LOUIS HUIDEKOPER.

(To be Continued.)

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NEW YORK: SOCIAL NOTES.—II.

BY HENRY JAMES.

I MUST positively get into the gate of the Park, however—even at the risk of appearing to have marched round through Georgia to do so. I found myself, in May and June, getting into it whenever I could, and if I spoke just now of the loud and inexpensive charm (inexpensive in the æsthetic sense) of the precinct of approach to it, that must positively have been because the Park diffuses its grace. One grasped at every pretext for finding it inordinately amiable, and nothing was more noteworthy than that one felt, in doing so, how this was the only way to play the game in fairness. The perception comes quickly, in New York, of the singular and beautiful but almost crushing, mission, that has been laid, as an effect of time, upon this limited territory, which has risen to the occasion, from the first, so consistently and bravely. It is a case, distinctly, in which appreciation and gratitude for a public function admirably performed are twice the duty, on the visitor's part, that they may be in other such cases. We may even say, putting it simply and strongly, that if he doesn't here, in his thought, keep patting the Park on the back, he is guilty not alone of a failure of natural tenderness, but of a real deviation from social morality. For this mere narrow oblong, much *too* narrow and very much too short, has directly prescribed to it, from its origin, to "do," officially, on behalf of the City, the publicly amiable, and *all* the publicly amiable—all there could be any question of in the conditions: incurring thus a heavier charge, I respectfully submit, than one has ever before seen so gallantly carried. Such places, the municipally instituted pleasure-grounds of the greater and the smaller cities, abound about the world and everywhere, no doubt, agreeably enough play their part; but is the part anywhere else as heroically played in proportion to the

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difficulty? The difficulty in New York, *that* is the point for the restless analyst; conscious as he is that other cities even in spite of themselves lighten the strain and beguile the task—a burden which here, on the contrary, makes every inch of its weight felt. This means a good deal, for the space comprised in the original New York scheme represents in truth a wonderful economy and intensity of effort. It would go hard with us not to satisfy ourselves, in other quarters (and it is of the political and commercial capitals we speak), of some such amount of "general" outside amenity, of charm in the town at large, as may here and there, even at widely scattered points, relieve the o'erfraught heart. The sense of the picturesque often finds its account in strange and unlikely matters, but has none the less a way of finding it, and so, in the coming and going, takes the chance. But the New York problem has always resided in the absence of any chance to take, however one might come and go—come and go, that is, before reaching the Park.

To the Park, accordingly, and to the Park only, hitherto, the æsthetic appetite has had to address itself, and the place has therefore borne the brunt of many a peremptory call; acting out year after year the character of the cheerful, capable, bustling, even if overworked, hostess of the one inn, somewhere, who has to take all the travel, who is often at her wits' end to know how to deal with it, but who, none the less, has, for the honor of the house, never once failed of hospitality. That is how we see Central Park, utterly overdone by the "run" on its resources, yet also never having had to make an excuse. When once we have taken in thus its remarkable little history, there is no endearment of appreciation that we are not ready to lay, as a tribute, on its breast; with the interesting effect, besides, of our recognizing in this light how the place has had to be, in detail and feature, exactly what it is. It has had to have something for everybody, since everybody arrives famished; it has had to multiply itself to extravagance, to pathetic little efforts of exaggeration and deception, to be, breathlessly, everywhere and everything at once, and produce on the spot the particular romantic object demanded, lake or river or cataract, wild woodland or teeming garden, boundless vista or bosky nook, noble eminence or smiling valley. It has had to have feature at any price, the clamor of its customers being inevitably *for* feature; which accounts, as we forgivingly

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see, for the general rather eruptive and agitated effect, the effect of those old quaint prints which give in a single view the classic, gothic and other architectural wonders of the world. That is its sole defect—its being inevitably too self-conscious, being afraid to be just vague and frank and quiet. I should compare her again—and the propriety is proved by this instinctively feminine pronoun—to an actress in a company destitute, through an epidemic or some other stress, of all other feminine talent; so that she assumes on successive nights the most dissimilar parts and ranges in the course of a week from the tragedy queen to the singing chambermaid. That valor by itself wins the public and brings down the house—it being really a marvel that she should in no part fail of a hit. Which is what I mean, in short, by the sweet *ingratiation* of the Park. You are perfectly aware, as you hang about her in May and June, that you *have,* as a travelled person, beheld more remarkable scenery and communed with nature in ampler or fairer forms; but it is quite equally definite to you that none of those adventures have counted more to you for experience, for stirred sensibility—inasmuch as you can be, at the best, and in the showiest countries, only thrilled by the pastoral or the awful, and as to pass, in New York, from the discipline of the streets to this so different many-smiling presence is to be thrilled at every turn.

The strange thing, moreover, is that the crowd, in the happiest seasons, at favoring hours, the polyglot Hebraic crowd of pedestrians in particular, has, for what it is, none but the mildest action on the nerves. The nerves are too grateful, the intention of beauty everywhere too insistent; it "places" the superfluous figures with an art of its own, even when placing them in heavy masses, and they become for you practically as your fellow spectators of the theatre, whose proximity you take for granted, while the little overworked *cabotine* we have hypothesized, the darling of the public, is vocalizing or capering. I recall as singularly contributive in all this sense the impression of a splendid Sunday afternoon of early summer, when, during a couple of hours spent in the mingled medium, the variety of accents with which the air swarmed seemed to make it a question whether the Park itself or its visitors were most polyglot. The condensed geographical range, the number of kinds of scenery in a given space, competed with the number of languages heard, and the whole impression

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was of one's having had but to turn in from the Plaza to make, in the most agreeable manner possible, the tour of the little globe. And that, frankly, I think, was the best of all impressions—was seeing New York at its best; for if ever one could feel at one's ease about the "social question," it would be surely, somehow, on such an occasion. The number of persons in circulation was enormous—so great that the question of how they had got there, from their distances, and would get away again, in the so formidable public conveyances, loomed, in the background, rather like a skeleton at the feast; but the general note was thereby, intensely, the "popular," and the brilliancy of the show proportionately striking. That is the great and only brilliancy worth speaking of, to my sense, in the general American scene—the air of hard prosperity, the ruthlessly pushed-up and promoted look worn by men, women and children alike. I remember taking that appearance, of the hour or two, for a climax to the sense that had most remained with me after a considerable previous moving about over the land, the sense of the small quantity of mere human sordidness of state to be observed.

One is liable to observe it in *any* best of all possible worlds, and I had not, in truth, gone out of my way either to avoid it or to look for it; only I had met it enough, in other climes, without doing so, and had, to be veracious, not absolutely and utterly missed it in the American. Images of confirmed (though, strangely, of active, occupied and above all "sensitive") squalor had I encountered in New Hampshire hills; also, below the Southern line, certain special, certain awful examples, in Black and White alike, of the last crudity of condition. These spots on the picture had, however, lost themselves in the general attestation of the truth most forced home, the vision of the country as, supremely, a field for the unhampered revel, the unchecked *essor*, material and moral, of the "common man" and the common woman. How splendidly they were making it all answer, for the most part, or to the extent of the so rare public collapse of the individual, had been an observation confirmed for me by a rapid journey to the Pacific coast and back; yet I had doubtless not before seen it so answer as in this very concrete case of the swarming New York afternoon. It was little to say, in that particular light, that such grossnesses as want or tatters or gin, as the unwashed face or the ill-shod, and still less the unshod, foot, or the

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mendicant hand, became strange, unhappy, far-off things—it would even have been an insult to allude to them or to be explicitly complacent about their absence. The case was, unmistakably, universally, of the common, the very common man, the very common woman and the very common child; but all enjoying what I have called their promotion, their rise in the social scale, with that absence of acknowledging flutter, that serenity of assurance, which marks, for the impressed class, the schoolboy or the schoolgirl who is accustomed, and who always quite expects, to "move up." The children at play, more particularly the little girls, formed the characters, as it were, in which the story was written largest; frisking about over the greenswards, grouping together in the vistas, with an effect of the exquisite in attire, of delicacies of dress and personal "keep-up," as through the shimmer of silk, the gloss of beribboned hair, the gleam of cared-for teeth, the pride of varnished shoe, that might well have created a doubt as to their "popular" affiliation. This affiliation was yet established by sufficiencies of context, and might well have been, for that matter, by every accompanying vocal or linguistic note, the swarm of queer sounds, mostly not to be interpreted, that circled round their pretty heads as if they had been tamers of odd, outlandish, perching little birds. They fell moreover into the vast category of those ubiquitous children of the public schools who occupy everywhere, in the United States, so much of the forefront of the stage, and at the sight of whose so remarkably clad and shod condition the brooding analyst, with the social question never, after all, too much in abeyance, could clap, in private, the most reactionary hands.

The brooding analyst had in fact, from the first of his return, recognized in the mere detail of the testimony everywhere offered to the high pitch of the American shoe-industry, a lively incentive to cheerful views; the population showing so promptly, in this connection, as the best equipped in the world. The impression at first had been irresistible: two industries, at the most, seemed to rule the American scene. The dentist and the shoe-dealer divided it between them; to that degree, positively, that in public places, in the perpetual electric cars which seem to one's desperation at times (so condemned is one to live in them) all there measurably *is* of the American scene, almost any other typical, any other personal fact might be neglected, for consideration, in

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the interest of the presentable foot and the far-shining dental gold. It was a world in which every one, without exception, no matter how "low" in the social scale, wore the best and the newest, the neatest and the smartest, boots; to be added to which (always for the brooding analyst) was the fascination, so to speak, of noting how much more than any other single thing this may do for a possibly compromised appearance. And if my claim for the interest of this exhibition seems excessive, I refer the objector without hesitation to a course of equivalent observation in other countries, taking an equally miscellaneous show for his basis. Nothing was more curious than to trace, on a great ferry-boat, for instance, the effect of letting one's eyes work up, as in speculation, from the lower to the higher extremities of some seated row of one's fellow passengers. The testimony of the lower might preponderantly have been, always, to their comparative conquest of affluence and ease; but this presumption gave way, at successive points, with the mounting vision, and was apt to break down entirely under the evidence of face and head. When I say "head," I mean more particularly, where the men were concerned, "hat"; this feature of the equipment being almost always at pains, and with the oddest, most inveterate perversity, to defeat and discredit whatever might be best in the others. Such are the problems in which a restless analysis may land us.

Why should the general "feeling" for the boot, in the United States, be so mature, so evolved, and the feeling for the hat lag at such a distance behind it? The standard as to that article of dress struck me as, everywhere, of the lowest; governed by no consensus of view, custom or instinct, no sense of its "vital importance" in the manly aspect. And yet the wearer of any loose improvisation in the way of a head-cover will testify as frankly, in his degree, to the extreme consideration given by the community at large, as I have intimated, to the dental question. The terms in which this evidence is presented are often, among the people, strikingly artless, but they are a marked advance on the omnipresent opposite signs, those of complete unacquaintedness with the admonitory dentist, with which any promiscuous "European" exhibition is apt to bristle. I remember to have heard it remarked by a French friend, of a young woman who had returned to her native land after some years of domestic service in America, that she had acquired there, with other advantages,

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le sourire Californien, and the "Californian" smile, indeed, expressed, more or less copiously, in undissimulated cubes of the precious metal, plays between lips that render scant other tribute to civilization. The greater interest, in this connection, however, is that impression of the state and appearance of the teeth viewed among the "refined" as supremely important, which the restored absentee, long surrounded elsewhere with the strangest cynicisms of indifference on this article, makes the subject of one of his very first notes. Every one, in "society," has good, handsome, pretty, has above all cherished and tended, teeth; so that the offered spectacle, frequent in other societies, of strange irregularities, protrusions, deficiencies, fangs and tusks and cavities, is quite refreshingly and consolingly absent. The consequences of care and forethought, from an early age, thus write themselves on the facial page distinctly and happily, and it is not too much to say that the total show is, among American aspects, cumulatively charming. One sees it sometimes balance, for charm, against a greater number of other felicitous items, in that totality, than one would quite know where to begin naming.

But I have strayed again far from my starting-point and have again, I fear, succumbed to the danger of embroidering my small original proposition with too many, and scarce larger, derivatives. I left the Plaza, I left the Park steeped in the rose-color of such a brightness of Sunday and of summer as had given me, on a couple of occasions, exactly what I desired—a simplified attention, namely, and the power to rest for the time in the appearance that the awful aliens were flourishing there in perfections of costume and contentment. One had only to take them in as more completely, conveniently and expensively *endimanchés* than one had ever, on the whole, seen any other people, in order to feel that one was calling down upon all the elements involved the benediction of the future—and calling it down most of all on one's embraced permission not to worry any more. It was by way of not worrying, accordingly, that I found in another presentment of the general scene, chanced upon at a subsequent hour, all sorts of interesting and harmonious suggestions. These adventures of the critical spirit were such mere mild walks and talks as I almost blush to offer, on this reduced scale, as matter of history; but I draw courage from the remembrance that history is never, in any rich sense, the immediate crudity of what "happens," but the

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much finer complexity of what we read into it and think of in connection with it. If a walk across the Park, with a responsive friend, late on the golden afternoon of a warm week-day, and if a consequent desultory stroll, for speculation's sake, through certain northward and eastward streets and avenues, of an identity a little vague to me now, save as a blur of builded evidence as to proprietory incomes—if such an incident ministered, on the spot, to a boundless evocation, it then became history of a splendid order: though I perhaps must add that it became so for the two participants alone, and with an effect after all not easy to communicate. The season was over, the recipients of income had retired for the summer, and the large clear vistas were peopled mainly with that conscious hush and that spectral animation characteristic of places kept, as with all command of time and space, for the indifferent, the all but insolent, absentee. It was a vast, costly, empty newness, redeemed by the rare quiet and colored by the pretty light, and I scarce know, I confess, why it should have had anything murmurous or solicitous to say at all, why its eloquence was not over when it had thus defined itself as intensely rich and intensely modern.

If I have spoken, with some emphasis, of what it "evoked," I might easily be left, it would appear, with that emphasis on my hands—did I not catch, indeed, for my explanation, the very key to the anomaly. Ransacking my brain for the sources of the impressiveness, I see them, of a sudden, locked up in that word "modern"; the mystery clears in the light of the fact that one was perhaps, for that half-hour, more intimately than ever before in touch with the sense of the term. It was exactly because I seemed, with the ear of the spirit, to hear the whole quarter bid, as with one penetrating voice, for the boon of the future, for some guarantee, or even mere hinted promise, of history and opportunity, that the attitude affected me as the last revelation of modernity. What made the revelation was the collective sharpness, so to speak, of this vocal note, offering any price, offering everything, wanting only to outbid and prevail, at the great auction of life. "See how ready we are"—one caught the tone: "ready to buy, to pay, to promise; ready to place, to honor, our purchase. We have everything, don't you see? every capacity and appetite, every advantage of education and every susceptibility of sense; no 'tip' in the world, none that our time is

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capable of giving, has been lost on us: so that all we now desire is what you, Mr. Auctioneer, have to dispose of, the great 'going' chance of a time to come." That was the sound unprecedentedly evoked for me, and in a form that made sound somehow overflow into sight. It was as if, in their high gallery, the bidders, New-Yorkers every one, were before one's eyes; pressing to the front, hanging over the balustrade, holding out clamorous importunate hands. It was not, certainly, for general style, pride and color, a Paul Veronese company; even the women, in spite of pearls and brocade and golden hair, failed of that type, and still more inevitably the men, without doublet, mantle, ruff or sword; the nearest approach might have been in the great hounds and the little blackamoors. But my vision had a kind of analogy; for what were the Venetians, after all, but the children of a Republic and of trade? It was, however, mainly, no doubt, an affair of the supporting marble terrace, the platform of my crowd, with as many columns of onyx and curtains of velvet as any great picture could need. About these there would be no difficulty whatever; though this luxury of vision of the matter had meanwhile no excuse but the fact that the hour was charming, the waning light still lucid, the air admirable, the neighborhood a great empty stage, expensively, extravagantly set, and the detail in frontage and cornice and architrave, in every feature of every edifice, as sharp as the uttered words of the plea I have just imagined.

III.

The American air, I take advantage of this connection to remember, lends a felicity to all the exactitudes of architecture and sculpture, favors sharp effects, disengages differences, preserves lights, defines projected shadows. Sculpture, in it, never either loses a value or conceals a loss, and it is everywhere full of help to discriminated masses. This remark was to be emphatically made, I found myself observing, in presence of so distinct an appeal to high clearness as the great Palladian pile just erected by Messrs. Tiffany on one of the upper corners of Fifth Avenue, where it presents itself to the friendly sky with a great nobleness of white marble. One is so thankful to it, I recognize, for not having twenty-five stories, which it might easily have had, I suppose, in the wantonness of wealth or of greed, that one gives it a double greeting, rejoicing to excess perhaps at its merely remain-

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ing, with the three fine arched and columned stages above its high basement, within the conditions of sociable symmetry. One may break one's heart, certainly, over its only being, for "interest," a great miscellaneous shop—if one has any heart left in New York for such adventures. One may also reflect, if any similar spring of reflection will still serve, on its being, to the very great limitation of its dignity, but a more or less pious *pastiche* or reproduction, the copy of a model that sits where Venetian water-steps keep—or used to keep!—vulgar invasion at bay. But I hasten to add that one will do these things only at the cost of not "putting in" wherever one can the patch of optimism, the sigh of relief, the glow of satisfaction, or whatever else the pardonably factitious emotion may be called—which in New York is very bad economy. Look for interest where you may, cultivate a working felicity, press the spring hard, and you will see that, to whatever air Palladian piles may have been native, they can nowhere tell their great cold calculated story, in measured chapter and verse, better than to the strong sea-light of New York. This medium has the abundance of some ample childless mother who consoles herself for her sterility by an unbridled course of adoption—as I seemed again to make out in presence of the tiers of white marble that are now on their way to replace the granitic mass of the old Reservoir, *ultima Thule* of the northward walk of one's early time.

The reservoir of learning here shaping itself above great terraces—which my mind's eye makes as great as it would like—lifts, once more, from the heart the weight of the "tall" building it apparently doesn't propose to become. I could admire, in the unfinished state of the work, but the lower courses of this inestimable structure, the Public Library that is to gather into rich alliance and splendid form the great minor Libraries of the town; it was enough for my delight, however, that the conditions engage for a covering of the earth rather than an invasion of the air—of so supreme an effect, at the pitch things have reached, is this single element of a generous area. It offers the best of reasons for speaking of the project as inestimable. Any building that, being beautiful, presents itself as seated rather than as standing, can do with your imagination what it will; you ask it no question, you give it a free field, content only if it will sit and sit and sit. And if you interrogate your joy, in the connec-

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tion, you will find it largely founded, I think, on all the implications thus conveyed of a proportionately smaller quantity of the great religion of the elevator. The lateral development of great buildings is as yet, in the United States, but an opportunity for the legs, is in fact almost their sole opportunity—a circumstance that, taken alone, should eloquently plead; but it has another blest value, for the imagination, for the nerves, as a check on the constant obsession of one's living, of every one's living, by the packed and hoisted basket. The sempiternal lift, for one's comings and goings, affects one at last as an almost intolerable symbol of the herded and driven state and of that malady of preference for gregarious ways, of insistence on gregarious ways only, by which the people about one seem ridden. To wait, perpetually, in a human bunch, in order to be hustled, under military drill, the imperative order to "step lively," into some tight mechanic receptacle, fearfully and wonderfully working, is conceivable, no doubt, as a sad liability of our nature, but represents surely, when cherished and sacrificed to, a strange perversion of sympathies and ideals. Anything that breaks the gregarious spell, that relieves one of one's share, however insignificant, of the abject collective consciousness of being pushed and pressed in, with something that one's shoulders and one's heels must dodge at their peril, something that slides or slams or bangs, operating, in your rear, as ruthlessly as the guillotine — anything that performs this office puts a price on the lonely sweetness of a step or two taken by one's self, of deviating into some sense of independent motive power, of climbing even some grass-grown staircase, with a dream perhaps of the thrill of fellow feeling *then* taking, then finding, place—something like Robinson Crusoe's famous thrill before Friday's footprint in the sand.

However these things might be, I recall further, as an incident of that hour of "evocation," the goodly glow, under this same illumination, of an immense red building, off in the clear north-east quarter, which had hung back, with all success, from the perpendicular form, and which actually covered ground with its extensions of base, its wide terrestrial wings. It had, I remember, in the early evening light, a homely kindness of diffused red brick, and to make out then that it was a great exemplary Hospital, one of the many marvels of New York in this general order, was to admire the exquisite art with which, in such a medium, it

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had so managed to invest itself with stillness. It was as quiet there, on its ample interspace, as if the clamorous city, roundabout, as if the passion of the Elevated and of the Elevator in especial, were forever at rest and no one were stepping lively for miles and miles away; so that visibly, it had a spell to cast and a character to declare—things I was won over, on the spot, to desire a nearer view of. Fortune presently favored this purpose, and almost my last impression of New York was gathered, on a very hot June morning, in the long, cool corridors of the Presbyterian Hospital, and in those "halls of pain," the high, quiet, active wards, silvery-dim with their whiteness and their shade, where the genius of the terrible city seemed to filter in with its energy sifted and softened, with its huge good-nature refined. There were reasons beyond the scope of these remarks for the interest of that hour, but it is at least within the scope that I recall noting there, all responsively, as not before, that if the *direct* pressure of New York is too often to ends that strike us as vulgar, the indirect is capable, and perhaps to an unlimited degree, of these lurking effects of delicacy. The immediate expression is the expression of violence, but you may find there is something left, something kept back for you if that has not, from the first, fatally deafened you. It carries with it an after-sense which put on for me, under several happy intimations, the image of some garden of the finest flowers—or of such as might be on the way to become the finest—masked by an enormous bristling hedge of defensive and aggressive vegetation, lacerating, defiant, not to be touched without blood. One saw the garden itself, behind its hedge and approachable only by those in the secret—one divined it to contain treasures of delicacy, many of them perhaps still to be developed, but attesting the possibilities of the soil. My Presbyterian Hospital was somehow in the garden, just where the soil, the very human soil itself, was richest, and—though this may appear an odd tribute to an institution founded on the principle of instant decision and action—it affected me, amid its summer airs and its boundless, soundless business, as surpassingly delicate. *There,* if nowhere else, was adjustment of tone; there was the note of mildness and the sense of manners; under the impression of which I am not sure of not having made up my mind that, were I merely alone and disconcerted, merely unprepared and unwarned, in the vast, dreadful place, as must

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happen to so many a helpless mortal, I should positively desire or "elect," as they say, to become the victim of some such mischance as would put me into relation again, the ambulance or the police aiding, with these precious saving presences, to re-establish for me, before the final extinction or dismissal, some belief in manners and in tone.

Was it in the garden also, as I say, that the Metropolitan Museum had meanwhile struck me as standing?—the impression of a quite other hazard of *flânerie* this, and one of those memories, once more, that I find myself standing off from, as under the shadow of their too numerous suggestion. That institution *is*, decidedly, to-day, part of the inner New York harmony that I have described as a touched after-sense; so that if there were, scattered about the place, elements prompting rich, if vague, evocations, this was recognizably one of the spots over which such elements would have most freedom to play. The original Museum was a thing of the far past; hadn't I the vision of it, from ancient days, installed, stately though scrappy, in a large eccentric house in West Fourteenth Street, a house the prior period, even the early, impressive construction of which one recalled from days still more ancient, days so far away that to be able to travel back to them was almost as good, or as bad, as being a centenarian? This superfluous consciousness of the original seat of the Museum, of where and what it had been, was one of those terrible traps to memory, about the town, which baited themselves with the cheese of association, so to speak, in order to exhibit one afterwards as "caught," or, otherwise expressed, as old; such being the convicted state of the unfortunate who knows the *whole* of so many of his stories. The case is never really disguisable; we get off perhaps when we only know the ends of things, but beyond that our historic sense betrays us. We have known the beginnings, we have been present, in the various connections, at the birth, the life and the death, and it is wonderful how traceably, in such a place as New York, careers of importance may run their course and great institutions, while you are just watching, rise, prosper and fall. I had had my shudder, in that same Fourteenth Street, for the complete disappearance of a large church, as massive as brown stone could make it, at the engaging construction of which one's tender years had "assisted" (it exactly faced the parental home, and nefarious,

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perilous play was found possible in the works,) but which, after passing from youth to middle age and from middle age to antiquity, has vanished as utterly as the Assyrian Empire.

So, it was to be noted, had the parental home, and so the first home of the Museum, by what I made out, beyond Sixth Avenue—after which, for the last-named, had there not been a second seat, long since superseded too, a more prolonged *étape* on the glorious road? This also gave out a shimmer from the middle time, but with the present favoring stage of the journey the glorious road seems to stretch away. It is a palace of art, truly, that sits there on the edge of the Park, rearing itself with a radiance, yet offering you expanses to tread; but I found it invite me to a matter of much more interest than any mere judging of its dispositions. It spoke with a hundred voices of that huge process of historic waste that the place in general keeps putting before you; but showing it in a light that drew out the harshness or the sadness, the pang, whatever it had seemed elsewhere, of the reiterated sacrifice to pecuniary profit. For the question here was to be of the advantage to the spirit, not to the pocket; to be of the æsthetic advantage involved in the wonderful clearance to come. From the moment the visitor takes in two or three things—first, perhaps, the scale on which, in the past, bewildering tribute has flowed in; second, the scale on which it must absolutely now flow out; and, third, the presumption created by the vivacity of these two movements for a really fertilizing stir of the ground—he sees the whole place as the field of a drama the nearer view of the future course of which he shall be sorry to lose. One never winces after the first little shock, when Education is expensive—one winces only at the expense which, like so much of the expense of New York, doesn't educate; and Education, clearly, was going to seat herself in these marble halls—admirably prepared for her, to all appearance—and issue her instructions without regard to cost. The obvious, the beautiful, the thrilling thing was that, without regard to cost either, they were going to be obeyed: that inference was somehow irresistible, the disembodied voices I have spoken of quite forcing it home and the palace roof arching to protect it as the dome of the theatre protects the performance. I know not if all past purchase, in these annals (putting the Cesnola Collection aside,) has been without reproach, but it struck me as safe to gather that (put-

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ting aside again Mr. Marquand's rare munificence) almost no past acceptance of gifts and bequests "in kind" had been without weakness. In the light of Sargent's splendid portrait, simply, there would have been little enough weakness to associate with Mr. Marquand's collection; but the gifts and bequests in general, even when speciously pleasing or interesting, constitute an object-lesson in the large presence of which the New York mind will perform its evolution—an evolution traceable, and with sharpness, in advance. I shall nevertheless not attempt to foretell it; for sufficient to the situation, surely, is the appearance, represented by its announcing shadow, that Acquisition—acquisition if need be on the highest terms—may, during the years to come, bask here as in a climate it has never before enjoyed. There was money in the air, ever so much money—that was, grossly expressed, the sense of the whole intimation. And the money was to be all for the most exquisite things—for *all* the most exquisite except creation, which was to be off the scene altogether; for art, selection, criticism, for knowledge, piety, taste. The intimation—which was somehow, after all, so pointed—would have been detestable if interests other, and smaller, than these had been in question. The Education, however, was to be exclusively that of the sense of beauty; this defined, romantically, for my evoked drama, the central situation. What left me wondering a little, all the same, was the contradiction involved in one's not thinking of some of its prospective passages as harsh. Here it is, no doubt, that one catches the charm of rigors that take place all in the æsthetic and the critical world. They would be invidious, would be cruel, if applied to personal interests, but they take on a high benignity as soon as the values concerned become values mainly for the mind. (If they happen to have also a trade-value this is pure superfluity and excess.) The thought of the acres of canvas and the tons of marble to be turned out into the cold world as the penalty of old error and the warrant for a clean slate ought to have drawn tears from the eyes. But these impending incidents affected me, in fact, on the spot, as quite radiant demonstrations. The Museum, in short, was going to be great, and in the geniality of the life to come such sacrifices, though resembling those of the funeral-pile of Sardanapalus, dwindled to nothing.

HENRY JAMES.

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THE CHRISTIAN ENDEAVOR MOVEMENT.

BY HENRY B. F. MACFARLAND, PRESIDENT OF THE BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

A TINY seed, a great tree: from one society of less than fifty members to over sixty-six thousand societies and nearly four million members: from one small church in Portland, Maine, to churches in every Christian community and at most of the missionary stations the world round: from a few dollars a year, for missionary and other causes, to over half a million dollars last year from less than one-sixth of the whole number of societies: from obscurity to world-wide fame and influence—this is the quarter-of-a-century story of the Christian Endeavor movement. In much less than a generation it has reached this great growth. Its founder is still a comparatively young man. A modest gentleman, whose modesty and gentleness have concealed from many his exceptional ability and energy, with the sanity, the sentiment and the strength of the Puritan, he has been, so far as men are concerned, the head and front of it all. He has had the great good fortune,—almost unique,—to start a perfectly new organization, and then to lead it, through every increase and improvement and development, always keeping it to his thought for it. Sir George Williams, who had a somewhat similar experience, did not, in twice the time, impress his life as completely upon the Young Men's Christian Association movement; and even General William Booth, with autocratic authority, is not more intimately related to the Salvation Army than Dr. Francis E. Clark is to the Christian Endeavor societies, over which he has no authority, every one of them being absolutely independent, except of its own church.

The organizations which grew from the minds of these three men are, with those which are the practical outgrowths of them,

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the most important of modern times. They are so unlike, except in the essential spirit, that they are not comparable. But, taken together, as having the same motive, inspiration and aspiration, they suggest that this should be called the Age of Faith, rather than the Age of Doubt. They are certainly worthy of more attention than they have received from the most intellectual observers, especially among editors and essayists. Men of letters are seldom in sympathy with evangelical Christianity, probably because they know too little about it. Simply as one of the facts of life in our day, the rise and progress of the Christian Endeavor movement, for example, is sufficiently important to be worthy the careful consideration of any thoughtful man, regardless of his views of religion. If a new political party had, in the same time, grown to such proportions and was showing the same virility and stability, it would be the frequent theme of men who, perhaps, do not know even the name of the Christian Endeavor Society. If four million people were keeping a pledge to read daily the plays of Shakespeare, or the poems of Dante, or the dialogues of Plato —to meditate upon them, to bring them to the attention of others and to put their highest teachings into practical living—that fact would interest immensely men who do not seem to know that the greatest book of all is having just such place and power in the lives of four million people. The Kingdom of Heaven cometh in all of its phases without observation, however, and it is not necessary, if desirable, that this particular phase of it should have that kind of observation. The vast majority of the members of the Christian Endeavor Society are happily unconscious of the fact that they are not under the eyes of certain critics, who, because they do not know that this and similar forms of religious life are giving Christianity new progress and power, write of it as if it were declining.

No philosopher who sees life whole, as it is to-day, can ignore the immense significance of such an organization as the Christian Endeavor Society. Not to speak of its importance to the individual church, or to the individual state, its value as an interdenominational and an international league, binding the churches together, and binding the states together, with the invisible ties of affection, sympathy, and a good purpose, can hardly be overestimated. Standing always for loyalty to the church denomination, and taking no partisan stand in politics, national or inter-

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national, it has been one of the most efficient forces in bringing about that better understanding between churches and that better understanding between countries which are among the most prominent signs at the opening of the twentieth century. The cause of international peace through international justice, for instance, has already profited in a most practical way by the Christian Endeavor Society's active support of international arbitration and conciliation as means of settling international differences. For its members in every country are in constant communication with each other, through their organs and other channels. Patriotism, expressed in good citizenship, is a cardinal teaching among them, and hand in hand with it goes the doctrine that all men are brothers and that all nations should be friends, under the government of the principles of Jesus Christ. No wonder that it has had the official recognition and commendation of Presidents and Premiers, who have seen that it was of practical importance sufficient to entitle it to their particular notice. Sagacious statesmen see more quickly than men of letters, or even theologians, the meaning and effect of such things. They know that in the actual life of peoples they are more real and effective than political parties or governmental machinery, to say nothing of the power of literature or philosophy.

Yet nothing was further from the mind of the young Congregational minister of the Williston Church of Portland, Maine, when, on the evening of the 2nd of February, 1881, he organized his young parishioners into the first Christian Endeavor society, than that it would figure in the affairs of the nation, much less in the affairs of nations. Like Sir George William and General William Booth, he had no ambitious dreams and did not plan on paper a national or international organization, but, in the ordinary course of his pastoral duties, and to meet a need which stared him in the face, he began his work, unconscious of its future development and possibilities. Like Sir George Williams and General William Booth, he believed that his seed-thought was from God, and therefore had life, with all its possibilities, but he could not foresee its growth. He had the "faith in God, faith in man, faith in work"—the New England creed which Lowell pronounced "ample enough for this life and the next." He saw that he needed a better organization for the young people of his church, many of whom had recently been brought

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into active membership in special meetings, than the old-fashioned types of young people's societies, and particularly that there must be a larger opportunity for them in the life and work of the church, and also an acknowledgment and obligation on their part to make the most of it. Accordingly, he prepared—having none to copy,—a constitution ("whose germs had lain in his mind for a long while"), for a society of Christian Endeavor, under an iron-clad obligation, which he read to the young Christians whom he had asked to his house on that winter Wednesday evening. In describing afterward what took place, he wrote that, after reminding them of their principles and duties, he read it to them, page by page, and then, he says, "a deathly stillness fell upon the meeting. These provisions were evidently more than the young people had bargained for. They had not been accustomed to take their religious duties so seriously . . . it seemed as though the society would die still-born. . . . But God ordered it otherwise. In that company were two who were especially influential and helpful. These were W. H. Pennell and the pastor's wife. Seeing that the matter was likely to fall through —at least for that meeting—Mr. Pennell affixed his signature to the constitution, and called upon his class of young men to do the same. Mrs. Clark quietly circulated among the girls, persuading them that it was not such a dreadful promise to make as they had at first supposed, telling them that the provisions of this constitution any earnest young Christian could live up to, and promising herself to be a member, although at first she shrank from the pledge as much as any of them.

"One by one the young men and women affixed their names to the document; a few minutes were spent in conversation, a closing prayer was offered and a hymn sung, and the young people went out into the frosty night and into their homes with many a merry 'Good-night' to each other, and the first society of Christian Endeavor was formed."

The constitution, which has now been copied in principle by over sixty-six thousand societies, gave, as the object of the society, "to promote an earnest Christian life among its members, to increase their mutual acquaintance and to make them more useful servants of God." But the most important clause—the stumbling-block to the young people and the potent cause of their after-success—related to the prayer-meeting, and stated: "It is

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expected that all of the active members of this society will be present at every meeting unless detained by some absolute necessity, and that each one will take some part, however slight, in every meeting." This contained Dr. Clark's root idea, "that the young Christian must be trained into strong Christian manhood, as by the industrial training-school, which teaches apprentices how to work by working, how to use tools by using them, how to exercise hand and foot and eye and brain in order that hand and foot and eye and brain may become expert in life's vocation."

Besides this, there was provision for a monthly meeting of rededication and also for the officers and committees.

Under the flexible plan of the wise founder, the constitution has grown so as to provide for additional committees, and for the special circumstances of particular societies; but the basic principle in all the forms is that the active members shall both attend and take part in meetings and shall as faithfully carry on various kinds of work, always in and through the parent church and the leadership of its pastor. The pledge provides for personal, systematic and united endeavors. It always provides for daily Bible-reading, regular church attendance and participation in meetings, unless an excuse can be given conscientiously "to his Lord and Master," and the pledge has proved fascinating rather than repellent, and spiritual rather than mechanical. It is all as might have been expected from the ardent and mighty spirit of youth. American ingenuity has been shown in the progressive application of Christian Endeavor principles so as to take in people of all ages, and associate as well as active members, made up of those who, while not church members, are willing to attend the meetings; and in the division of work, so as to give everybody something definite to do, which is arranged among committees to cover every variety of possible endeavor in and out of the church. Its adaptation to all races, as well as churches and ages, is one of the proofs, to those who founded it, of its divine origin. A great company of witnesses in all lands testify to this.

Speaking of the church side of its work, Amos R. Wells says:

"There is the lookout committee, which spurs the careless, reclaims those who fall back or fail, and seeks and instructs new members; a conserving, an evangelizing, a missionary committee. There is the prayer-meeting committee, which selects leaders, plans new features for the meetings, and assists the leader in making the meeting a success. There

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is the social committee, whose ingenuity in devising ways of reaching the young outside of the church, through social gatherings and pure amusements, has certainly been marvellous. The good-literature committee gathers subscriptions to denominational periodicals; collects for hospitals and missionaries the waste reading-matter of the congregation; opens church reading-rooms, literature tables, or book and magazine exchanges; supplies with religious reading barber shops, railroad waiting-rooms, and the like; keeps scrap-books bearing on the work of the different committees; edits and publishes the church paper, and often prints for circulation the pastor's sermons. The flower committee decorates the pulpit, and afterwards, with loving messages, distributes the flowers among the sick or poor. The calling committee seeks out strangers. The relief committee dispenses charitable gifts. The Sunday-school committee prepares itself to fill gaps in the ranks of the teachers, hunts up absent scholars, gathers in new ones. Missionary and temperance committees agitate those causes by special meetings and by literature. The usher committee welcomes visitors, and keeps the back seats clear. There are invitation committees, to distribute printed invitations to church meetings; correspondence committees to watch over members as they pass from one place to another, and introduce them into some new society and church home. There are pastors' aid committees, to do little odd jobs for the pastor. The ingenious young folks sometimes even form baby committees, to tend small children while their mothers go to church. By the time an Endeavorer has served a term on each of these committees in a live society he will have gained a pretty extensive training in applied Christianity.

"Christian Endeavorers are always prompt to put the seal of system on good ideas, as in the 'front-seat brigades,' the 'hand-shaking circles,' even the 'band of first getters-up!' They are ready to engage in a church census, or in out-district work. Similar committees from different societies often hold committee conferences, or correspond for an exchange of ideas; and, in the conventions, no part of the crowded programme, except, possibly, the question box, is so eagerly enjoyed as that unique Endeavor feature, the 'Open Parliament' for the discussion of methods of work."

The present-day condition among the Endeavor societies is full of promise. There is a growing number of societies, with forms and features differing from model suggestions. There are societies with two or three pledges. There are some that are practically a federation of different groups of young workers in the church. There are some which conduct various boys' and girls' clubs as feeders. Good citizenship and philanthropy are emphasized.

No one has done more to stimulate this tendency than the young General Secretary, Mr. Von Ogden Vogt, in conferences

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in all parts of the country. He believes that all the young people of a church ought to be given some work to do to express their religion practically. But in many large parishes all the young people cannot be won to the same mode of expression. This is where a group form of society is valuable.

Some churches that have had several organizations for the youth are unifying them into one common Endeavor society. This dignifies the spiritual phases of the work in the minds of those interested in the practical only. It also minimizes machinery, enables church authorities to control more fully all the work for the young and makes for a better democracy among the youth of a church.

Mr. Vogt points to the growing intelligence in Sunday-school work, and declares that a like careful guidance will soon come to be given to the other things that need to be done for the boy besides teaching him.

The idea was taken from the Williston Church first by a Congregational church in Newburyport, Massachusetts. Four years ago, its pastor, Charles Perry Mills, wrote to Dr. Clark:

"If it is any comfort to you to know how the earliest pastor to imitate your example feels about Christian Endeavor after twenty years, let me say in deepest sincerity, 'I believe in it with my feet and my hands, with my eyes and my ears, with my tongue and my nostrils, for it tastes and smells sweet; I believe in it with my head and my heart; I believe in it north, south, east, west, and in every point of the compass between the four cardinal points, for it is to-day, on its merits and by the favor of God, world-wide.'"

This enthusiastic utterance is quite characteristic of the tributes given on all occasions and in all countries by its oldest as well as its newest friends. Many societies have doubtless dropped out, but very few of the leaders have left it during the years, while it has steadily grown in numbers and achievement.

As the news of the new organization was spread by the press, it was gradually introduced in many churches; but there were only six societies when the first convention was held at Williston Church, in June, 1882. There were fifty-three, with an enrolled membership of 2,630, when the second convention was held the next year. Before ten years passed, 5,000 delegates were present in a national convention held in Chicago, representing thirty-

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three States and Territories, societies had been started in England, and Dr. Clark had been induced to retire from the pastorate to become the President of the United Society of Christian Endeavor, and Editor-in-Chief of "The Golden Rule," the Christian Endeavor organ, now named "The Christian Endeavor World." By the time the national convention met in Philadelphia in July, 1899, 6,500 delegates were sent, a number of foreign countries were represented, and the President of the United States sent a telegram of greeting. Prominent clergymen and other public speakers were glad to address this convention. These conventions have become an important feature in the life of the movement. Not even the political conventions have commanded such an attendance or shown such earnestness of enthusiasm, and no religious gatherings are comparable with them in numbers or public interest. Twenty thousand delegates from outside of the convention city, and an attendance of over fifty thousand, are the astonishing reports of these national conventions. They have been supplemented by State and local conventions. In all of these gatherings, every effort has been made to deepen the spiritual life and to instruct and inspire the societies through their representatives. Although many famous men and women have addressed these conventions, no one has had such an influence in them as the founder himself. Through his writings and through his public addresses, in this country and in his world tours in behalf of the Christian Endeavor movement, he has gained a personal hold upon the members of the societies which is unequalled by that of any other man in any other organization, and this is because he has drawn out the admiration and the affection of his followers. Those who know him best admire and love him most:

> "With living breath of all the winds, his name
> Is blown about the world; but, to his friends,
> A sweeter secret hides behind his fame,
> And love steals shyly through the loud acclaim
> To murmur a 'God bless you!' and there ends."

Dr. Clark has so put his life into the Christian Endeavor movement that it seems like his body. It is impossible to write its history without seeming to write his biography. He is its typical man and represents its ideals as completely as any man can. It is

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entitled to be judged by him and those who are most like him. All Christian Endeavorers are not like him, although the proportion of those who fail entirely and publicly is not large. The churches will testify, and, more important, the cities—and especially those in which Christian Endeavor conventions have been held—will testify that the impression made by the great majority of Christian Endeavorers is a favorable one, and no one sees more quickly the mistakes of any of the societies or individuals than does its leader, or has been more quick to adopt suggestions or proposed amendments or improvements. Open-mindedness and teachableness are characteristic of the Christian Endeavor leaders, as of the Christian Endeavor societies. The fears of those who apprehended that pharisaism, spiritual pride and formalism would soon appear in the new organization proved as unfounded as the fears that the young people would be made bold and disagreeable by it. No men have been more grateful or more loyal to the Christian Endeavor movement than the pastors of the churches; and even those denominations which have preferred to have denominational societies of their young people have carried on the Christian Endeavor work by adopting its principles. Well may the churches show gratitude! Dr. Clark has stated that, "on the average for ten years past, nearly two hundred thousand each year of the associate members of the society have connected themselves with some branch of the church of God." Although he does not claim that this is due wholly to the society, no one can doubt that it is largely due to the society. He has also stated that: "It is far below the actual facts to say that the Endeavorers annually give, through their own organizations, in addition to all that they give through other channels of the church, not less than a million dollars a year for the home churches and for missions at home and abroad," and he justly claims that very much of this is an extra asset, additional to what would have been given otherwise, as shown by what was given before the Christian Endeavor movement began.

It cannot be too often repeated that the United Society, which is the international headquarters, does not draw for its support one dollar from the individual societies, but is maintained by the profits of its own publications. Dr. Clark has supported himself by his own writings. Ten thousand dollars a year is gathered from the societies in America and Great Britain, solely to pro-

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mote the cause of Christian Endeavor in countries where the English language is not spoken, on the invitation of the church missionaries.

Dr. Clark's character, as well as his consistent purpose, is well shown in the four great objects which he set before the societies at the convention of 1905, in Baltimore, namely:

1. That they give $1,000,000 to denominational missions;

2. That they should bring into the church one million new church attendants;

3. That they should induce one million persons to join the church;

4. That they should bring one million new members into the Christian Endeavor societies.

It is most natural that the other leaders of the movement, without Dr. Clark's knowledge, planned to set up a memorial of his work which should also serve to perpetuate it, in celebration of its first quarter of a century of life, in the form of a building for the international headquarters of the national society, and a fund for its maintenance to be provided by the gifts of the Christian Endeavorers of the world. The proposition that each Endeavorer should give a small sum—twenty-five cents, if no more—has been received, as might have been expected, with enthusiasm all over this country and Canada, and in all foreign countries where the Christian Endeavor flag flies. An international committee for the promotion of the Christian Endeavor quarter-century memorial fund has been formed, with representatives of all churches and countries, and a strong finance committee which promises success for the undertaking.

Sir George Williams was knighted by Queen Victoria for founding the Young Men's Christian Association, celebrated its jubilee in Westminster Abbey, and was made a freeman of the City of London, and similar honors might have been given Dr. Clark if he had done his work from London. Not only the Endeavorers, with their personal devotion to him, but all of those who can appreciate the value of his services to society and its increasing influence upon the future, will feel that to give Dr. Clark the honor that is proposed for him, and which he will appreciate chiefly because it will be of lasting benefit to his life-work, is not too great for this benefactor of mankind.

HENRY B. F. MACFARLAND.

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ELASTICITY OF WRITTEN CONSTITUTIONS.

BY HANNIS TAYLOR.

JOHN MORLEY once said that "the great fault of political writers is their too close adherence to the forms of the system of state which they happen to be expounding or examining. They stop short at the anatomy of institutions, and do not penetrate to the secret of their functions." That fault has reached its highest development among the "political writers" of the United States for the reason that it has become a habit of life with them to expound, as absolute truths, certain dogmas embedded in our written constitutions which, in fact, embody only half truths. At the head of that list stands the dogma that the legislative, executive and judicial powers of government are separate and distinct, a dogma which was first brought to the attention of political thinkers by Montesquieu, who, in his "Spirit of Laws," simply indicated the extent to which it was applied in the English constitutional system. As Madison has told us in the "Federalist":

> "The British constitution was to Montesquieu what Homer had been to the didactic writers on epic poetry. As the latter have considered the work of the immortal bard the perfect model from which the principles and rules of the epic art were to be drawn, and by which all similar works were to be judged, so this great political critic appears to have viewed the constitution of England as the standard, or, to use his own expression, as the mirror, of political liberty."

Montesquieu looked into that mirror, and then outlined the very imperfect separation he saw there between the three cardinal powers of government; and the result of his reflections became current in time to be utilized by the framers of our State constitutions—George Mason being the first American statesman to give precise form to the new dogma by embodying it in the

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Virginia Declaration of Rights, drafted by him in 1776. When the time came for it to be lifted into a higher sphere, through incorporation into our Federal Constitution of 1787, Madison was careful to explain that it was so incorporated only in the modified form in which Montesquieu had expounded it. Speaking of the constitution of the Mother Country, Madison said:

> "On the slightest view of the British constitution, we must perceive that the legislative, executive and judiciary departments are by no means totally separate and distinct from each other."

Speaking of the constitutions of the States he said:

> "If we look into the constitutions of the several States, we find that, notwithstanding the emphatical and, in some instances, the unqualified terms in which the axiom has been laid down, there is not a single instance in which the several departments of power have been kept absolutely separate and distinct."

And yet, as a theory, the unqualified dogmatic assertion was embedded in our constitutional system as an absolute truth which, it was supposed, would preserve for all time an exact co-ordination between three powers incapable of living on side by side in a state of perfect equality. In any scheme of liberty under law in which the ultimate defining power is vested in the judiciary, that department of government necessarily becomes the supreme power. In the progress of civilization nothing has been more difficult than to expand and adapt the primitive codes and constitutions of infant states to the ever-changing conditions of progressive societies. The history of jurisprudence, when viewed as a whole, demonstrates that that subtle and silent process of adaptation is too refined for formal legislation, which must ever remain, as it has ever been, the mere handmaid of judicial interpretation. Only that conserving and adapting force has prevented our otherwise rigid and inelastic system of written constitutions from going to wreck, while the infant society to which they were applied has been passing, in an incredibly short time, through an unparalleled national expansion.

Not until the establishment of the Empire at Rome did formal legislation, in the modern sense of that term, become important. As it is very unusual in the infancy of a nation for the legislature to be appealed to for the general reform of private law,

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statute law, which became voluminous under the Empire, was scanty during the Republic. The enactments of the Emperors extend in increasing massiveness from the consolidation of the power of Augustus to the publication of the code of Justinian. During the creative period in which the jurisconsults were putting forth their wonderful treatises, the power of legislation passed from the people to the Senate, and then through a gradual process of usurpation from the Senate to the Emperor. It is, therefore, to the republican period that we must look for the early history of the process through which the primitive code of the greatest of city-states was expanded and adapted to the ever-increasing wants of a progressive society, by that silent and subtile agent known as "judge-made" law. At the outset, Roman law was simply a body of unwritten municipal customs, which lost their elasticity by being condensed into the Code of the Twelve Tables, put forth at a time when Roman society had barely emerged from that intellectual condition in which civil obligation and religious duty are inevitably confounded. When archaic law is thus condensed into a code, there is, of course, an end to its spontaneous development; all after-changes in it must be effected, if at all, deliberately and from without. As law is stable, and societies of the higher type progressive, how are the latter to be kept in harmony with the former? The problem of problems for students of constitutional law is involved in the process through which the strait-jacket put on by an infant state, in the form of a written code, is to be made sufficiently elastic to adapt itself to all the changing conditions of the after-growth. Leaving out of view legal fictions which, at certain stages of social progress, are invaluable expedients for overcoming the rigidity of law, the most important instrumentality through which the primitive Roman code was expanded, beyond the wants of the citizens of a single city to those of the citizens of a vast league of cities, was that known as "equity," a name given to a body of principles built up by Roman magistrates and Roman lawyers alongside of the original civil law, which it claimed the right to supersede by virtue of a superior sanctity inherent in such principles. In theory, the supreme judicial power was vested in the *praetor,* who was either a jurisconsult himself, or a person entirely in the hands of those who were. When a suit was commenced, the litigants appeared before the *praetor,* who made a

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preliminary examination in order to ascertain the precise points in controversy. After hearing the statements and counter-statements of plaintiff and defendant, he constructed a brief technical outline of the disputed issue called a "formula." That formula was then put into the hands of the *judex* (something very different from the modern presiding judge), who, after hearing the evidence of the witnesses and the argument of the advocates, returned his decisive judgment to the *praetor* who appointed him. The entire proceeding thus carried on by the *praetor, judex,* and advocates was under the intellectual guidance of the jurisconsults, the makers of the scientific law-literature of Rome, who were regarded as law experts, and respected and resorted to as such by all concerned in the administration of justice. Primarily, the *praetor* was a great statesman or politician whose function was to enforce the law; the *judex,* or as we would now call him the "referee," might have no technical knowledge of law whatever. Under such conditions, the unlearned judicial magistrates naturally looked for light and leading to the jurisconsults who instructed them through their *responsa prudentium,* the technical name given to their opinions as experts. The jurisconsults thus became the reservoir from which was drawn that body of principles heretofore described as "equity," and finally known at Rome as the "*jus gentium,*" law common to all nations, which Cicero said was not one law for Rome, and another law for Athens, one law to-day, and another law to-morrow, but one eternal and immortal law for all time and for all nations, as God the common master and ruler is one. Or, according to the constitutional treatise published under the authority of Justinian: "The law which a people enacts is called the civil law of that people, but that which natural reason appoints for all mankind is called the law of nations, because all nations use it,"—something entirely different, of course, from the law of nations as now understood. Such was the general nature of the process by which the primitive and unelastic Roman code was liberalized and adapted to the changed conditions of an expanding society, through the growth of that system of judge-made law called "equity," built up alongside of the primitive code by the jurisconsults during the period that preceded the overthrow of the Republic and the advent of Augustus. When a new condition arose for which the inadequate primitive code did not provide, the jurisconsult

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sults simply wrote a commentary and filled the vacuum from a reservoir which was supposed to be supplied by natural reason. In that way, the Roman Bar became the real source of legislation.

When we pass from Rome to England, we there find a repetition of the old story of a body of customary law, which had crystallized into a written form, being expanded and adapted to the ever-increasing wants of a progressive society, through the results of at least six centuries of judge-made law. The primitive system of customary law which matured in the popular courts of England, like all archaic law, took on an iron rigorism of form which rendered it unelastic. Its entire inadequacy never became apparent, however, until the Norman Conquest drew England into the march of the Continental nations. The most important single outcome of that event was the centralization of justice through the establishment of a great court at Westminster, by whose agency a new system of royal law, which found its source in the person of the King, was brought in to remedy the defects of the old, unelastic system of customary law prevailing in the provincial courts of the people. As soon as the new judicial system put into operation by the Normans was in working order, "decisions of tribunals," as Digly has expressed it, "came to constitute in the strictest sense of the term a source or cause of law. Judge-made or judiciary law, henceforth, gradually displaces customary law." The English common-law judges, in the exercise of perfectly normal functions, thus undertook to enlarge the unelastic and inadequate primitive code by engrafting upon it new principles, either formulated by themselves or borrowed freely from the current compendiums of the Roman and Canon law. Mr. Dicey has said very lately that:

> "As all lawyers are aware, a large part, and, as many would add, the best part, of the law of England is judge-made law, that is to say, consists of rules to be collected from the judgments of the courts. This portion of the law has not been created by act of Parliament, and is not recorded in the statute book. It is the work of the courts; it is recorded in the reports; it is, in short, the fruit of judicial legislation. The amount of such judge-made law is in England far more extensive than a student easily realizes. Nine-tenths, at least, of the law of contract, and the whole, or nearly the whole, of the law of torts are not to be discovered in any volume of the statutes."

While the customary law of England has thus, in fact, been extended, modified and improved through case-law, in very much

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the same way in which the primitive Roman code was transformed through the responses of the jurisconsults, in theory, the means employed have ever been held to be incapable of altering one jot or one line of the existing jurisprudence. By the baldest of legal fictions, the new principles announced were assumed to be drawn from a preexisting nebulous body of English law called the "common law," ample enough to supply doctrines applicable to any conceivable set of circumstances. And yet, effective as such means were in liberalizing and improving the English common law as such, they fell far short of the task to be accomplished. Just as it became necessary at Rome to build up, outside of and apart from the primitive code, a distinct set of principles capable of superseding it, called "equity," so it became necessary to build up alongside of and apart from the English common law a like system under the same title. That process began with the growth of the equitable jurisdiction of the English Chancellor, which Lord Campbell has defined to be "the extraordinary interference of the Chancellor, without common-law process, or regard to common-law rules of proceeding upon petition of the party aggrieved, who was without adequate remedy in a court of law." Thus the new body of equitable rules, which began to flow from a royal source, openly avowed that its right to supersede or supplement the primitive code rested upon the indisputable inadequacy of that code to then existing conditions. As the praetorian equity at Rome and the equity of the English Chancellor thus grew out of the same necessity, it is natural that their comparative histories should reveal many common features. As Sir Henry Maine has expressed it:

> "The *praetor* was the chief equity judge as well as the great common-law magistrate, and as soon as the edict had evolved an equitable rule, the *praetor's* court began to apply it in place of or by the side of the old rule of the civil law, which was thus directly or indirectly repealed without any express enactment of the legislature."

No better statement can be made of the process through which the same result was worked out in England. At Rome, the growth of equity had its limits; it seems to have exhausted itself when the succession of jurisconsults comes to a close with the reign of Alexander Severus. Then followed a period during which, Gibbon tells us, "the oracles of jurisprudence were almost mute."

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From that time, the history of Roman law is the history of the imperial constitutions and of all the attempts finally made to subject the unwieldy body to codification. In the same way, the expansion of English equity seems to have ended with the chancellorship of Lord Eldon, who devoted himself rather to harmonizing and explaining the principles announced by his predecessors than to the germination of new ones in *gremio magistratuum*. The most striking point of difference, of course, between Roman and English equity is embodied in the fact that the latter, despite its bulk, has always abhorred codification.

The dominating and moulding principle which has ever been the lion rampant of Roman and English law,—really the only two systems of jurisprudence to which progressive history has so far given birth,—was supposed to be caged at last when the framers of our written constitutions decreed that the legislative, executive and judicial powers of government should forever remain separate and distinct. Henceforth, there was to be no more judicial legislation, no more adapting and expanding of the constitution of an infant state to the ever-increasing wants of a progressive society through the subtile and silent influence of judge-made law. Elaborate and cumbrous machinery was provided for amending our written constitutions, State and Federal, whenever changed conditions should render such a procedure necessary. Certainly so far as our Federal Constitution is concerned, such an expedient has proven a lamentable failure. Leaving out of view the first twelve amendments, which were nearly contemporaneous with it, and really a completion of it, but three remain, whose adoption, as all the world knows, was the outcome of civil war. Nothing is more generally admitted in the politics of this country than the fact that any reform is practically hopeless that depends upon the amendment, under normal conditions, of the Constitution of the United States. Experience has shown that the ponderous machinery provided for that purpose can only be moved by the giant of revolution. Under such conditions, who can doubt, when the marvellous rapidity of our national development is taken into account, that our Federal Constitution would have been a hopeless failure but for the expanding and adapting power of judge-made law, promulgated by the Supreme Court of the United States. At the outset, neither the nature nor the extent of its powers was at all clearly understood. As late as Jaunary 2,

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1801, John Jay, the first Chief Justice, in declining a reappointment, wrote to President Adams:

> "I left the Bench perfectly convinced that, under a system so defective, it would not obtain the energy, weight, and dignity which was essential to its affording due support to the national government; nor acquire the public confidence and respect which, as the last resort of the justice of the nation, it should possess. Hence, I am induced to doubt both the propriety and the expediency of my returning to the Bench under the present system."

Fortunately for the cause of good government throughout the world, Jay's wail of despair was a bugle-call to a jurist who has exercised a wider influence, perhaps, than any other in the history of mankind.

On the day of the first meeting of the Supreme Court in the permanent capital of the nation, John Marshall took his place for the first time as Chief Justice, and, as such, he sat in the midst of six associates for thirty-four years. The time was ripe for the advent of a jurist and statesman clear-visioned enough to sweep the entire horizon of federal power, and bold enough to press each element of it to its logical conclusion. The success of his life-work was assured by the manner in which he solved the problem that awaited him. Thirteen years after the organization of the Supreme Court, he announced, for the first time, in the case of Marbury *vs.* Madison, that it possessed both the right and the power to declare null and void an act of Congress in violation of the Constitution. The invincible logic employed in the demonstration rested necessarily upon an admission that the august right in question was a mere deduction from the general nature of a system of government whose constitution had failed to grant it in express terms. Such deduction was, of course, a pure creation of judge-made law. The only precedents that existed were to be found in the States, where it had frequently been held that a State court could declare an act of the legislature void because of repugnancy to the State constitution. The States had borrowed the idea from the action of the English Privy Council, which sometimes annulled the acts of colonial legislatures when in conflict with colonial charters. After such charters were transformed into State constitutions, the judicial committee of the Privy Council was superseded by the Supreme Courts of the sev-

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eral States. Finally, when the new system of constitutional limitations on legislative power, born in the States as a purely American invention, widened into national importance through its application to the legisative power vested in the unique Federal Republic created by the Constitution of 1787, the inevitable outcome was the Supreme Court of the United States, the only court in history ever endowed with the right to pass on the validity of a national law. When Marshall lifted that right into the highest possible sphere, he wrought a revolution in the jurisprudence of the world by giving to judge-made law its widest possible expansion; an expansion for which no precedent could be found in history. In the absence of any particular words in our Federal Constitution from which the existence of the right could be drawn, even by implication, the Supreme Court declared in Marbury *vs.* Madison that its right to annul a national law was a legitimate deduction from the entire instrument considered as a whole. And yet no jurist ever recognized more religiously than Marshall the difference that divides a system of organic law from a mere code of municipal law.

He well understood that the fathers, in their wisdom, had undertaken to do no more than construct a framework of governmental timbers, leaving the filling out of the interior details to legislation and to the defining and expanding hand of judicial interpretation. While no one was more content to dwell within the sacred circle marked by the outer walls of the temple, no one was more resolute than Marshall in harmonizing and adorning its interior through the application of the resources of judge-made law. Such an application was never more necessary than when the Supreme Court was called upon to create a body of rules sufficiently comprehensive to give effect to that brief and vague constitutional provision, providing that "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." Vast areas of territory were to be acquired and governed without any definite grant of power to do either. Fortunately, Marshall and his associates clearly understood that the history of colonization, from the Greeks' days down, put beyond question the fact that inhabitants of undeveloped states while in a colonial condition, have no right, natural or historical, to be admitted at once to the full citizenship

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guaranteed by the constitution of the parent state. Jefferson, the real founder of our territorial system, perfectly understood that truth, and Gouverneur Morris, the draftsman of the provision in question, wrote at a later day that: "I always thought that, when we would acquire Canada and Louisiana, it would be proper to govern them as provinces and allow them no voice in our councils." Fortunately, that conservative view as to the proper relations between newly acquired territory and the parent state, entertained by the makers of the Constitution, and coined into judge-made law by Marshall and his associates, and which has imparted the necessary elasticity to the Constitution in that regard, has not been supplanted by the romantic yet dangerous afterthought of a later time.

Nothing has been more remarkable in the history of our Federal Constitution than the ease with which it has adapted itself, by the aid of judicial interpretation, to the ever-increasing wants of a rapidly swelling population, continually organizing new systems of local government beyond our original limits. When, during Jefferson's second term, the application of steam to navigation was made by Robert Fulton, a revolution was wrought in the commerce of the country. A notable legal result of the change was a substitution for the ancient English rule of admiralty jurisdiction, resting on the ebb and flow of the tide, of a new one better adapted to totally different physical conditions. In Taney's time, the navigable character of the water was made the test; and thus, by the silent stroke of the judicial pen, the admiralty jurisdiction of the Federal courts was extended, not only beyond the flow of the tide in all public navigable waters, but even over the great fresh-water lakes as well. No one will deny that the unparalleled material development of this country has been largely worked out through the agency of corporations, the public confidence in whose stability has rested largely upon the famous decision rendered in 1819, in the Dartmouth College case, wherein it was held that the charter of a corporation is a contract, and as such protected against violation by State legislative action by Article I, Section 10, of the Federal Constitution. Thus, by a momentous stroke of the judicial pen, American corporations were placed in a condition of security as to the legislative power of the States never before occupied by such bodies in any other country in the world. If,

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in the great case in question, Marshall, with the concurrence of his associates, had simply added the little word "not" to the phrase declaring that such charters are contracts within the meaning of the clause in question, the problems now presented by the growth of trusts and monopolies would appear in an entirely different light. In England no such problems exist. If they did, they would be summarily disposed of by the omnipotent Parliament, which can any day entirely remodel the basis upon which the privileges and immunities of English corporations rest. Under our system, the main hope of relief is in an appeal to the judicial power, which created the immunity of corporations from interference from State legislation. Now that an appeal for relief is being made to the judicial tribunals, the fact cannot be ignored that the power that made can unmake, that the power that built up can destroy. In this grave matter, a silent stroke of the judicial pen could work a revolution. No other department of government is so capable as the judicial of dealing with a problem whose complexity is as great as its influence is far-reaching. Our experience has demonstrated the fact that nothing so rapidly advances commercial and industrial interests as legitimate corporations, exercising normal powers according to law. The problem is how to protect such in their legal rights, and at the same time crush out the illegitimate and abnormal. After formal legislation has exhausted its limited resources, the ultimate solution of the problem will still remain for the judicial power; the last decisive word must be spoken by the Supreme Court of the United States. When the growth of the jurisdiction of that tribunal is viewed as one unbroken development, is there anything in its history, taken as a whole, to disquiet us? When the intricacy and delicacy of the mighty task which it has been executing for more than a century is calmly considered, must not the scientific jurist frankly admit that it could only have been performed through the agency of judge-made law—that agency which silently and safely expanded and adapted the primitive and unelastic codes of Rome and England to the ever-increasing wants of progressive societies?

HANNIS TAYLOR.

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THE ELDER STATESMEN OF JAPAN: THE POWER BEHIND THE PORTSMOUTH TREATY.

BY THE REV. WILLIAM ELLIOT GRIFFIS, AUTHOR OF "THE MIKADO'S EMPIRE."

In its moral significance, the treaty of Portsmouth is the high-water mark in the history of nations. It sets a lofty standard for twentieth-century civilization. It means the victory of right reason over passion, of science over emotion, of sober self-control over bluff and sham, the rout of militarism and the enthronement of true statesmanship as the rule of the commonwealth. Two of the youngest nations of the world, at the invitation and on the soil of the youngest of all, have settled their differences in a spirit of magnanimity, in deference to the dictates of humanity, and with a view to "the greatest good to the greatest number." Broadminded statecraft, obedient to the vision of the better Japan to come, rather than the anger of the misinformed multitude, or the pride of the exultant warrior, has ruled. Yet the victory of the wise in 1905 at the council-table, as fully as that of the valorous in the field, is but the repetition of the victory of Kioto in 1868, when a band of fifty-five young leaders turned their backs on feudalism and the sword to enter the brotherhood of humanity, vowing to win by brain, to uplift a nation, and to make trade honorable. They have steadily persevered in the determination to give Japan a régime of might based on right. Between the effusive self-styled "victor" and the real winner at Portsmouth, what contrast to the advantage of the latter! Japan has forever laid the spectre of the "Yellow Peril."

The best time for the making of a mutually beneficial treaty is just when armies are at their largest, and each has the expectation of overwhelming the other. A model treaty is that which breeds mutual self-criticism and discontent of a sort which, when

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properly directed, becomes the motor of home reforms. Japan, as well as Russia, is far from "finished." Her greatest victory was over herself. She won by ruling her own spirit—a greater feat even than the taking of Port Arthur.

Americans, who are probably the most conceited people in the world, imagined that they secured the results at Portsmouth, and that they and their chief ruler deserve the crowning fame of the achievement. Possibly they do. One who reads only the newspapers may well rest in that calm delusion. So also can those who know Japan only in poster, but not those who see in perspective. With all honor to our American people, and President—too great to need an adjective—the real powers that, in the teeth of an opposing press at home, an over-conceited populace and unsleeping hostile partisans, though refusing a meeting on European soil, responded instantly to President Roosevelt's call, framed the scheme of possibilities, decided the final issue, and accepted the responsibility, were Japan's rulers, the Emperor and his Elder Statesmen. A half-dozen Genro, or Senators in the Privy Council, best incarnate the nation. Their mind has been one with the Mikado's, ever since New Japan, on the 3rd of January, 1868, was born. Their prenatal political potency as well as public career has been one with his. One word of an "Elder" weighs a milliard of tons. Compared with his judgment, that of a young man, however able or brilliant, avails little or nothing. The characters formed in the sevenfold-heated furnace of the pre-Restoration decade, from 1858 to 1868, and beaten, like a Muramasa sword, to finest temper on the anvil of the events which preceded the constitutional year of 1889, count supremely with nation and chief ruler. The giving of a written constitution magnified the Genro, while it reduced other men to a common calibre. Tested amid storm and stress with their protégé and comrade, the young Emperor, whose boyhood's baptism was one of exile, fire, war, and struggle between contending forces of reaction and advance, the Elder Statesmen enjoy the absolute confidence, both of sovereign and people. They numbered in 1868, as our own First Continental Congress did in 1774, fifty-five, and they stood for nationality as against feudal division, for popular freedom as against despotism, for progress instead of reaction. They are now to be counted almost on the fingers of one hand.

Despite the folly of Tokio toughs,—wonderfully in their be-

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havior like our own New York "Jay treaty" and "draft-riot" mobs—and the frantic raving of a press guided by young men who have never learned through centuries of training the right use of "liberty," the verdict of the Genro will yet be fully and gratefully accepted, and their names shine as stars, not only in Japan's "River of Heaven," but in the firmament of the world's history. Téi Koku Dai Nippon is a country ruled not by mobs, but by law. Article XIII of the Constitution says that "the Emperor declares war, makes peace and concludes treaties." The commentary of the chief and still most trusted statesman, who, in 1889, by the Mikado's order, drew up the text of Japan's fundamental law, says: "The Emperor shall dispose of all matters relating to foreign intercourse, with the advice of his Ministers, but allowing no interference by the Diet therein." Talk, in 1905, of "revolution against the Mikado" was gibberish.

How comes it to pass that, despite her modern Diet, or Houses of Parliament, her press, and all those outward phenomena of representative government, Japan is still practically ruled, as little Holland is, by a select (or Privy) Council of experienced statesmen, who can virtually annul the apparent will of the Chambers and "the people"—a phrase which in our sense in the Japan of fifty years ago was not only unknown, but absolutely incapable of being generally understood? Yet more, why does the whole Japanese nation usually trust these few men, as a little child trusts its father? Why is it that the Constitution gives to the Privy Council the whole question of treaty-making, thus virtually telling the Emperor what, if he is a true lover of his people, he must do. Why is it that, immediately after the Princes of the Imperial blood, in the order of precedence at Court, the power to approach the throne at any time is given to Marquis Ito, a man of gentle, but not of noble, blood? As President of the Privy Council, he could stand before all else, ministers, nobles, and gentry. One reason for this is grounded in the eternal truth that war is based on passion, and statesmanship is based on reason. Certain it is that

> "*Beneath the rule of men entirely great,*
> The pen is mightier than the sword."

The italics are ours.

Forty years ago, in Yedo, Ito, young and full of hot blood as he was, a Bushido swashbuckler, threw down the flaming torch

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and bloody sword as weapons against the hated bureaucracy of the Shogunate. Then and there, he placed his faith for life in law, reform, and "brain victories" as the grander forces, even in war, and in peace, ever to be striven for as the noblest policy, and in making the merchant the social equal of the soldier. Unscathed by the ever-lurking assassin, he yet lives, the greatest all-round servant of nation and Emperor, and the one longest in service. Why, again, is it that Yamagata, Matsugata, Inouyé civilians, stand near the throne in equal honor with Oyama, even though he be the supreme commander of Japan's embattled hosts; while not far below, before generals and admirals, though holding no office and wishing none, and even in Government Opposition, Count Okuma, peaceful educator, ecomomist and philanthropist, and Itagaki, the ceaseless agitator for the expansion of popular rights? Why, if not that Japan's real spirit, incarnated in Emperor and Genro, is for peaceful achievement as against martial glory, and for humanity in preference to acquisition through bloodshed? Can anything demonstrate more clearly Japan's real aim and love of peace?

Such matters deserve closest study if we wish to know the age-old tap-roots of Japan's government policy and her real, as opposed to her imagined, ambitions; or if we would appraise rightly the oft-predicted "menace" of Japanese to American success. The fears of European "Defenders of the Faith," or even of Yankee covetousness, are the last things to be taken counsel of, when seeking either facts or truth about "Orientals." The yellow dreams conjured up by the *delirium tremens* of sham "Christianity" ought not to disturb us. It is well to stand above the clouds of newspaper misinformation, and to take long views in the perspective of history, while for a forecast of the future nothing is better than a correct knowledge of the Japanese man. For, though mountains may melt, clothes, custom, and food change their fashion, and the once garden landscapes become factory-lands, that old conservative, the human heart, in Japan as elsewhere, remains the same. That which has been will be. Those who understand best the Japanese movement of the last half-century know that it was not one generated in the Occident, or by influences from the West, but that, however tremendous the reinforcement from without, it is true development of life from within.

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I can remember Japan when there was not a telegraph, railway, rifled cannon, public hospital, Christian church, or newspaper; when Yedo bureaucracy, not so very different from that in St. Petersburg, was hardly more than destroyed; and when, poverty stricken, and often famine-cursed, a pitifully large number of her people, under the rule of the sword, supported one-tenth, the armed gentry and nobles, in non-tax-paying privilege, when millions in beggary or caste-slavery suffered unspeakable disease, or outside of humanity rotted on the roads, and when for all there was no more liberty of mind or conscience than in Russia. Thirty millions of human beings lived in compulsory frugality on a soil unable to furnish meat food, or even sufficient grain for its inhabitants. Pitiless economics allowed only the hopefully strong, but never a deformed, child to survive its birth. Japan had need of life and life more abundantly. The full programme of Mikadoism, which meant national unity, required that, first of all, the Yedo bureaucracy should be abolished and feudalism swept away. Only when these demolitions were accomplished could reconstruction begin. Four great clans led in the work. They faced colossal tasks not yet finished. "What are we to reform?" was once asked of Ito by a typical pro-Oriental. "Everything," was the answer. With Choshiu's civil and Satsuma's war talents, Tosa's liberty-loving instincts, and Hizen's balance, the assemblage of abilities was superb.

The great embassy, which was to turn the face of the nation toward Christendom started round the world in 1872. Of the four envoys, Ito alone survives. With a septuagint of official men, bent on blending the East and the West, in a new translation, went five of Nippon's daughters. Sweet little maids they were, as I saw them in their flowery costumes. To-day one is the wife of Field-Marshal Oyama, and another of Admiral Uriu, while a third is the leading woman educator of Japan, who has sent scores of her sisters to American colleges. Those who know only the *geisha* and Nippon women of stage and fiction know not Japan. The Empire would never have arrived at its stadium of assured progress, without her noble women, true helpmeets, matching Nippon's manly strength with devotion and service manifold. In a thousand other ways, not willingly but resolutely, out of principle and conviction, defying Chinese, Buddhist, and traditional customs, these champions of Mikadoism, taking as their motto,

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"Education the basis of all progress," consecrated themselves to the ideal, "No second place for Japan." Alas that our newspaper writers and tourist interviewers dub this, that or the other statesman, "the Bismarck of Japan," until Japan has in alien rhetoric a whole battalion of Bismarcks, but in seeming not one Gladstone, Lincoln or McKinley! Yet it may be that history will award to Japan's historic fifty-five a fame equal to that same number in our first Continental Congress. With clear consciences, with eyes ever towards Heaven's judgment on them, should they quail in duty as they saw it, they were ever under the hair-hung sword. Never a step forward taken without sacrifice! Continually environed by assassins and reactionaries, the reformers persevered. Every end of an era was in crimson. Against the lives of each of the ten Imperial ministers in his Majesty's cabinet, whom I knew in 1870, plots were woven. As for martyrs, what a bloody list, yet what a shining roll! Yokoi, Omura, Hirosawa, Okubo, Mori, and scores of men of lesser name, were slain by fanatics who imagined they were "executing Heaven's decree." According to the ferocious ethics of Bushido, each assassin masked murderous hate and damnable selfishness under patriotism's plea. No wonder that, when riding in the funeral train of some new victim, Marquis Ito smoked a cigarette. Etiquette aside, perhaps, he needed it to steady his nerves. The feudal *ronin* gave way to the modern *soshi,* and the killing of cabinet ministers became the fad of cranks.

But, and this is our point, what an education for the young Mikado in knowledge and choice of men! What answers did he give before the nation to the fanatics who travestied "Heaven" in their egotistic folly? Always one and the same—higher honors and more glorious reward to his statesmen-servants, Katsu, Iwakura, Okuma, Itagaki, who escaped the pistol, sword and bomb, gaining scars and losing limbs; while upon his dead servants he poured out with generous hand all imaginable honors, while ennobling their sons. One by one, that little band of fifty-five passed beyond the shadow, until the Emperor was left with only a handful of those most trusted sons of the gods. As we can easily understand, each survivor, because of the bereaved Emperor's increasing loneliness, became more dear to the Imperial mind and heart. As with the Cumean sibyl of old, the lessening volumes of life held the price of all. To-day, when all told, the survivors

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exceed scarcely one hand's count, the reasons are manifest why these living oracles speak so authoritatively concerning the policy of a nation. To the Emperor, increase of knowledge has been increase of sorrow. Thus has he learned how to take the measure of a man.

Those who know the Genesis, in 1868, and succeeding books, of Japan's Pentateuch of progress, leading up to consummation in that Deuteronomy—which is not yet written—understand easily that while there are Liberals and Conservatives, Progressists, and Friends of the Constitution, so called, there have never been in constitutional Japan any real reactionaries. Even in the Tokio mob of 1905, there was nothing antiforeign, and no trace of anti-Americanism. With the new army, moved on the wings of steam and electricity, various insurrections, whether of farmers with banners of matting and spears of bamboo, or of knights of feudal spirit, under beetle-headed helmets and in laced armor of silk, bamboo and steel, were put down with ease. Then in 1877 came that mighty uprising under the ex-Field-Marshal of 1868, Saigo, the Satsuman, to crush which cost seven months of blood, 30,000 lives and $60,000,000. This closed the era of reaction. Yet it so tested triumphantly the mettle of the peasant army that, after Saigo, Japanese laughed both at the idea of fearing either Chinese or Russians, or of ever becoming foreign-haters. To my mind, Japan accomplished nothing greater in 1905 than in 1877.

The Privy Council, consisting mostly of Elder Statesmen, was formed in 1886, and to them it was given to weave the text of the Constitution, sworn to in 1868 and proclaimed in 1889. In it, the whole question of treaties was foreseen, and the power to make and ratify settled—or, rather, reaffirmed. For, from "ages eternal," that power had resided in the Emperor alone. It was the gathering wrath of centuries that in 1860 flamed out against Ii, the Yedo premier, for daring without the Mikado's consent to sign the American treaty negotiated by Townsend Harris. The spur of the Restoration of 1868 was the determination to reclothe the Emperor with powers which the Shogun had usurped. Hence, while that Constitution is what it is, all such absurdities as Tokio mobs or "interference of the Diet," or semitreasonable newspapers, or the nonsense of "a revolution against the Mikado" —figment of ignorant foreigners—are beyond serious concern, while on the other hand, the liberties of the nation are sure.

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While Article IX of the Constitution declares that "the Emperor issues, or causes to be issued, the Ordinances necessary for the carrying out of the laws, or for the maintenance of public peace and order, and for the promotion of the welfare of the subjects," it also adds: "But no Ordinance shall in any way alter any of the existing laws." Thus the Throne binds itself to maintain the liberties of the nation. Besides having supreme control of the Army and Navy, Article XIII, in grand simplicity, announces that "the Emperor declares war, makes peace and concludes treaties,"—for which no consent of the Diet is required, nor is any interference of the Diet allowed; while Article LVI makes it the duty of the Privy Council to "deliberate upon important matters of State (outside the scope of the powers of Diet, cabinet minister or envoys) when they have been consulted by the Emperor." Sublimely beautiful and rich in the heroism of prophecy, are the words of Ito's commentary of 1889: "It is not in an advisory body like the Privy Council that subjects should seek for fame and glory of the outside world."

The writer need not tell all he knows of the secrets of the old Dai-Jo Kan, or Supreme Council, table in the troublous early seventies, when, at times, because of fear of this or that clan, Satsuma or some other, or of reaction threatening colossal proportions, the Emperor was actually deserted at the council-table by his advisers. Under the written Constitution, Privy Councillors can neither shirk their duty, whether easy or terrible, nor give the slightest publicity to their opinions without the Emperor's express permission. Nor have they ever quailed for a moment. Compared with the wind and wave of St. Petersburg, Tokio has been a rock. Certainly, on that Monday in August, 1905, when summoned by the Emperor to deliberate and advise, the Elders had an unpleasant duty to face. The newspaper-roused populace expected the humiliation of Russia, the cession of all Saghalin, and, most confidently of all, a swollen indemnity for a bigger navy, a larger army and, more particularly, for commercial expansion and financial speculation. These popular hopes were never, I think, for a moment shared by the veteran advisers of the Mikado.

Since everything has been done according to the Constitution, anything in the expression of opinions by Japanese concerning the provisions of the treaty, when exceeding respectful and loyal

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utterance, is not only unconstitutional, but tends to anarchy. To dictate terms to the Emperor in matters of treaty stipulations is not only preposterous, but it is suicidal. If a Japanese subject does not like what the Treaty of Portsmouth covenants, he need not be fool, rebel, or traitor. Let him rather seek to reform the conditions which in 1889 made the Constitution the thing of limits, as well as of law, that it is; but which cannot, in either patriotism, law or decency be changed at once. Nor can any but desperate characters expect revolution in place of slow evolution. Do some Japanese even think that the Constitution ought to have been made like that of England, where the ministers are responsible, not to the Sovereign, but to Parliament; or that in its text it ought to have read like that of the United States—the servants of the nation being mediately responsible for the people? Very good; but this means in effect a disguised republic like England, or a real one like the United States. Is Japan ready for this? Hardly. Nations are *not* born in a day, nor constitutions "struck off," nor does a true Parliament arise at the wave of a wand.

Every law-abiding Japanese still rejoices that the liberal provisions of the fundamental law, put into writing in 1889, are so full and explicit. All the world was amazed at the Emperor's enormous limitation of his Imperial prerogative. Though I speak with the furnace of Japanese party politics in near view, I can recall that when in Boston in 1889, with the faces of Japan's mighty dead, of the fifty-five of 1868, in memory, I first read this august text, every line of which seemed to me written in martyr blood, I wondered why meetings were not held in Faneuil Hall and the bells of the nation rung in sympathy with this Asian people. So wonderful an event, taking place in Asia and within a hundred years of the Philadelphia instrument, seemed a political miracle. One almost expected the Independence bell to heal its crack and ring out congratulations. To impugn or threaten that Constitution, or even to insult or lampoon the Elder Statesmen in the Privy Council, whose loyalty has been tried in fire, and whose patriotism grew in a field of swords, seems to me, an alien outsider, to be the height of folly,—the committing of national hara-kiri in the wrong age of the world. No sensible Japanese can go back of the text of the Constitution. Let him rather fight the conditions if he wants to, agitate for extension of the franchise, and strive for the political education,

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in duties even more than rights, of the fifty million of his brethren. Make the Upper House of the Diet a true Senate with treaty-making power like that in Washington, and demand that the imperial ministers be responsible to the Diet and not to the Throne—but hardly yet. It is as certain as that the sun rose this morning that because of the victories in Manchuria, a great extension of political privileges in Japan is to be looked for. Nevertheless, the very experiences of the Japanese people since the late war began, show that they are not yet ready for universal suffrage. Better, a thousand times, Count Okuma's policy of steady agitation and solid education than a single hour of mob demonstration!

For, without denying the satisfactory side and some noble features, war is little more than incarnated lust. Its moral consequences reveal hell's crop, as of poisonous toadstools. Nothing is more ultimately disappointing than success in many battles. To this effect, Count Okuma had already sounded warning. The inevitable aftermath is social plague and moral pestilence. Twice has the Japanese populace been deluded by the deceitfulness of war. In 1894-5, to the Occident ignorant of the real organization of that amazing racial agglomeration called "China," there was a war between Japan and China, in which Japan won first glory, then humiliation, and again money indemnity,—with the certainty of having to spend it all quickly and of entailing an awful debt in fighting Russia. In reality, there never was any war between Japan and China, because there is no such thing in existence as a Chinese Empire in the sense that there is a German, British, or Russian Empire. What southern Chinaman cared for what went on in Chili, or Shing King? It was "only north man's pidgin." What did happen was a war between all Japan and Peking backed by but four or five out of the twenty-one Chinese provinces. And with what results to Japan? After the mobs and newspaper outbreaks against the Treaty of Shimonoseki, wild financial speculations led the nation into extravagance, neglect of real education, awful moral deterioration, and the necessity of wasteful military and naval expansion, with exhausting outlay in getting ready for the carefully prearranged war with Russia.

How has it been in 1905? Even more deceitful was this war with its victories. The nation girded for the fray in January and February, 1904. At once followed the postponement or paralysis of internal improvement, deterioration of education, and

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self-denial of the poor almost to starvation. The land was drained of its youth, and the old men and women worked in the fields, widows and orphans uttered no cry. For a while, modesty, self-control, sacrifice, made the Japanese not only admirable, but models. But continued success made millions of them drunk in mind and imagination, while the statistics of loss were suppressed or manipulated with a secrecy that was horribly misleading. Forgetting that, with their leaders educated by British, German and American instructors, with modern machinery and forces borrowed from the most advanced nations, and near their base of supplies, they ought by all calculations to have won,—for their enemy, not only the most backward of Europe, and far behind in training, experience and science, fought at the fag end of his attenuated empire—the populace failed also to realize that, "compared with European and American development, Japan's has been a mere bagatelle." These quoted words are not the cold decision of an alien, they are those of the Elder Statesman, Count Okuma. Again, as the same level-headed wise man, who has all along given economical and moral warnings to his countrymen, made vivid in his article on "Militarism and the Rise and Fall of States," he warned against bloodthirstiness, and scouted the old popular worship of hara-kiri, the sworded bully and the theatrical assassin. "Violence is the rule of Bushido (the Warrior's code), and on violence it has been nurtured. It is out of touch with civilization."

In 1905, especially after the Mukden victory, the moral tension of the nation was dangerously loosened. Rampant, degenerate, and over-fat with Russian blood, visions of the great mulct, so confidently expected, intoxicated the less wise among the Japanese. After Togo's victory, they felt already the clinking of the Russian roubles in their hands. Again the atrocious proverb of the rebel reactionaries of 1877, who refused to lay aside the sword, pay taxes and work, came into vogue: "Though the eagle be starving, it will not eat grain." After so interrupted a feast, during nineteen months, on (double-headed) eagle, Great-Bear pie and war jam, the peace milk of Portsmouth was loathsome to the new baby among the nations. Hear again the far-seeing Count Okuma, who was once made legless by the dynamiter's bomb concealed in the umbrella of a champion of decadent Bushido, clad in European evening dress. On a like occasion with the

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present, in the face of parochial patriotism and insular bigotry, he failed not in warning rebuke. In July, 1905, he wrote again:

"To-day Japan has entered the country of competitive nations. If she imagines that the sources of a nation's advancement do not lie in civilization, but are to be sought in the remnants of feudal ideas, and if she relies on armed victories, which encourage militarism and vitiate popular sentiment, she will be injuring her own progress and sowing the seeds of national decay."

In a word, the Elder Statesmen knew Japan's real conditions, soil, resources, and the problems awaiting solution. They had but slight expectations of indemnity or of anything save what Japan fought for and has won. As valuable as air-brakes on the train, or steel shoes on the tire, is this body of old heads, whose pure mind and aim would screen the evolution of the Japanese into modern men and keep their country in the path of sure progress and the permanent respect of the world. In 1787, old Franklin and well-balanced Washington were better, while Hamilton, Jefferson, Adams, and Clinton were good; so to-day we appraise the Genro of Japan. The treaty of Portsmouth crowns their work. How superb their record! Not alone with a Bismarck's energy of blood and iron, but with the patient, calm, exquisite balance, unremitting industry and gifts of patient adjustment, of a Washington, or a Lincoln, they swept away medieval feudalism, then made a new nation, and finally have won a place in the world's council of leading states.

Like Washington, having given free rein to the coursers of Empire, they stop the steeds firmly at the goal.

All the better off for not getting an indemnity, that would tempt the nation into extravagance, insolence and folly, Japan will now fall back on the ancient virtues of her sons and daughters, and within a decade reclaim her fallow land, suck abundance from the seas new and old, redeem Formosa, settle Yezo, exploit the metallic riches of southern Saghalin, set again in motion her paralyzed industries, open the mines of Korea, and make the peninsula a rice-field, and by trade in Manchuria and on the five continents win solid, permanent wealth in place of slippery war spoil. Every true friend must congratulate Japan that she got no indemnity from Russia. Apart from considerations of humanity, sound economics are the basis of history; and dependence on cardinal virtues the only safeguard of the future.

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This is the end of an era. Japan's greatest and nobler problems are ahead. Let the people ponder this—her "progress so far a bagatelle." Let her face the truth and not the flatterer. The time for Bushido is past. Tradition and mythology will not serve her. Let the Japanese drop the ridiculous fiction of "2500 years of history," enforce a policy of truth in all things as the best weapon, accept the glorious fact of her youth and rawness, cease to suppress academic freedom, gradually relax that excess of secrecy which easily degenerates into deception and that has recoiled on both nation and government, and allow liberty to the individual and in the home—where it does not yet exist—educate her fifty millions, still mostly *heimin,* and make the merchant's career honorable. Asia's fertility is like eternity itself, its mineral treasures practically untouched, its ocean's wealth inexhaustible, and the possibilities of commerce undreamed of. The old ethnic hates are lessening, and the world is slowly but surely learning that, though religions are many, religion is one. Thus the seed-beds of war may one by one become the gardens of arbitration and reason. Japan has honored the sword and the fighter long enough. Let the peace-promoter have his turn. Predominant in Eastern Asia and in the Northern Pacific, her supreme opportunity has come to show herself what she professes to be—"second to none." Let the spirit of the Emperor and the Elder Statesmen be followed, and she will surely actualize her dream.

WILLIAM ELLIOT GRIFFIS.

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POWER OF CONGRESS TO REDUCE REPRESENTATION IN CONGRESS AND IN THE ELECTORAL COLLEGE: A REPLY.

BY JOSEPH WARREN KEIFER.

In the October number (1905) of this Review is a well-tempered article on the right and expediency of Congress to reduce representation in the House of Representatives and in the Electoral College.

The writer first admits that such right was conceded by the Second Section of the Fourteenth Amendment to the Constitution; then he asserts that in so far as it bears upon the denial of the suffrage to colored men, the Fifteenth Amendment of the Constitution repealed that section.

The discussion of the old question of State or Federal citizenship, and of the Dred Scott decision, holding that "a free negro of the African race, whose ancestors were brought to this country and sold as slaves," is not a citizen of the United States, is foreign to the matter under consideration. The part of the article which deals with that subject, therefore, may be passed over very briefly.

The Constitution did not originally define citizenship. It assumed that all freemen were citizens, with equal political rights; and they were so regarded in all the original States, even to granting to them the elective franchise, unless restricted by State constitution or law.

This right of restriction existed in States as completely against the white as the black race, and still so exists, under the limitation of the Fifteenth Amendment, which only prohibits disfranchisement "on account of race, color or previous condition of servitude."

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The "Articles of Confederation," adopted July 9, 1778, did undertake (Article IV) to define citizenship thereunder, thus:

"The free inhabitants of each of these States, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all the privileges and immunities of free citizens in the several States."

The partisan Dred Scott case, decided March 6th, 1859, seized on the absence of a constitutional definition of citizenship, in the interest of slavery, to deny it to the African race, free or not.

It was unchangeably decided by the Civil War that the original principles of liberty and of the Declaration of Independence on which the Republic was founded should be reestablished, and forever maintained in all their purity. The Fourteenth Amendment was one of the blood-bought decrees of the war, set down in written form. It was the natural and logical successor of the Thirteenth Amendment, freeing all slaves; and then followed the Fifteenth Amendment abolishing race and color distinctions in the exercise of the elective franchise.

To put an end to the question of citizenship in the United States, Section 1 of the Fourteenth Amendment contains this language:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

The first clause of Section 2 of this Amendment is a substantial repetition of the Constitution (Article I, Section 2), requiring representation to be apportioned in the States according to the number of "free persons" in each, excluding Indians not taxed. Then follows this language:

"But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

By Section 2 of Article I of the Constitution, all "persons" were regarded as citizens entitled to be counted for representation.

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The writer falls early into a cardinal error which he maintains throughout his article. He rejects the fundamental principle of equality of political power between States and the voting citizens thereof in the administration of the Federal Government, and asserts the sole purpose of the provision quoted was to penalize any State that did not accord to its citizens "the unrestricted right of suffrage."

No such purpose appears either in the history of the adoption of the Amendment, or from its language. On the contrary, it is manifest that it was intended to provide for a voter in one State, or district of the same State, having an equal and only an equal voice with a voter in another State or district. It was intended to prevent just what has happened, that of a district in one State electing a member of the House with less than two thousand voters, whereas in a normal district of most States it now takes about forty thousand votes to elect a member. In a less degree, this inequality has arisen between districts of the same State; and in at least one State the whole vote cast has elected eight members of the House, whereas in other States, with more than double the vote in a single district, only one member is chosen.

Recurring again to Section 2, Article I of the Constitution, it will be seen that, in addition to all free persons, Indians not taxed being excluded, "*three-fifths of all other persons*" were added in determining the number of Representatives in the House of Representatives, and, consequently, in the Electoral College. This permitted the counting of three-fifths of the slaves.

When the War, with the Thirteenth Amendment, freed the slaves, it was claimed that all the colored race should be counted in securing representation, and that the white voters should vote for them as they had formerly done for three-fifths of the slaves. To deny this to the Southern people, it is pretended, would be to punish them. The day of punishment, if there ever was such a day, has long gone by, and an era of good-will has long since been inaugurated. But to promote and secure peace and good-will does not require a surrender by a large majority of the people to a small minority, or the surrender of the principle of equality of political rights and power, in administering the affairs of the Republic.

What justice is there in a citizen of one State having even

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double power in electing a President of the United States or a Representative in Congress over a citizen of another State? There are instances where a voter in a district of one State has enjoyed the equivalent in voting for a President and Representative of more than twenty voters in another State.

Waiving the question of the provision being a penalty to disfranchising States, it would be pertinent to consider the wisdom of its enforcement by Congress for its good effect on such States. It would place them on a higher and better political and moral plane than they are on now. An unfair or unequal enjoyment of political power, like the enjoyment of any other wrong thing, is demoralizing and degrading. When the people of all the States are on an equal political basis, the objects sought to be attained by a free government will be more nearly realized, and the political brotherhood of mankind will be more nearly attained than it has ever been in any form of government, or under any flag. So long as one class of people in any State seek to gather to themselves governmental power they are not willing to concede to the people of the other States of the Union, there can be no proper equality, and there will be the danger and distrust that injustice always necessarily engenders.

The author of the article seems to think that the second section of the Amendment was adopted only with reference to the colored race. In this he is manifestly mistaken, as we shall presently see.

But, first, has there been a denial of the right of any "male inhabitants" qualified by age to vote for President, etc., or has such right been "*in any way abridged, except for participation in rebellion,*" etc.?

Here is not the place to digest the Constitution and laws of States to show how or why, both white and black, "male inhabitants" have been denied the right to vote, or such right has been in some way abridged. The fact must speak for the efficacy of the methods adopted, and their execution, in securing that end.

I take one State for an example, which will strongly illustrate the disfranchisement of both white and black. The population at last census of Mississippi was, white, 641,200; colored, 907,630; total, 1,548,830, with a white voting population of 150,530, and colored of 197,936. The present ratio of representation in Congress is 194,182.

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Comparisons will help us to understand. By the same census, California had a population of 1,485,053, and Kansas of 1,470,405, each less than Mississippi, but each of the three States had eight Representatives. The total vote for Congress cast in 1902 in Mississippi was 18,058, in California 291,008, and in Kansas, 274,253, and the average vote to elect a member that year in Mississippi was 2,257; in California, 36,376; and in Kansas, 34,282. The highest vote, that year, for a member in Mississippi was 3,245, and the lowest was 1,146. It is fair to say that, in that year, after making due allowance for ordinary stay-at-homes, at least 30,000 voters to a district in Mississippi were, in some way, deprived of the privilege of voting, for eligible voters do not, without a controlling cause, refrain from voting, especially the more illiterate, as they are almost universally jealous of the few substantial powers or rights they possess.

But what has become of the white voter of Mississippi? At least three of the eight Representatives of that State were apportioned on the white population, and the usual white vote should have been at least 115,000 (excluding above 35,000 of the white voting population as ordinary stay-at-homes), whereas it was, in 1902, only 18,058, about 97,000 short of a normal white vote, and in 1904 its total vote was 58,383, about one-half of the natural white vote of the State.

But, in contrast, in 1902, the whole vote of California was 317,820, and of Kansas 287,168; and in 1904, the vote of California was 331,545, and of Kansas 324,588, each of these States electing the same number (8) of Representatives as Mississippi. It is interesting to note that Missouri (once a slave State, where now equal political rights are accorded to its citizens as voters) with only double (16) the number of Representatives and population (3,106,665) of Mississippi, in 1904 polled 643,861 votes: one congressional district (the tenth) alone casting 58,383 votes, substantially the same number cast the same year in the whole State of Mississippi to elect eight Representatives and ten Electors.

It is also of interest, in this connection, to note the vote formerly cast in certain States where much was said about the use of troops and special deputy marshals at the polls to keep the peace deterring the honest voter from voting. Let us turn to the vote in Mississippi in 1872, the year of Grant's second

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election as President. In the third congressional district the Democratic vote was 6,440; Republican, 15,047; total, 21,487—more than in the whole State thirty years later, the State then having less population than in 1902. This was not exceptional, as in 1872 the fourth district polled 6,870 Democratic, and 15,595 Republican votes; the sixth, 8,509 Democratic and 15,101 Republican votes. Presumably, the Democratic vote was then all white. Statistics of other States for the same and other years also show the disappearance of white and black voters alike, and furnish the same demonstration.

The plans adopted in several of the States disfranchise white citizens of a certain class as effectually as colored citizens. It has been shown that the proposition to amend the Constitution of Maryland this year would disfranchise a large number of her white citizens—probably more white than black citizens.

If there be educational, property, or other, disfranchising laws of any State, not common to other States, the same rule of reduction of representation should apply.

It is not within the scope of this paper to review, or even point out, the various plans adopted to produce the result. It is enough to know that they are effective, and that State constitutions and laws are so administered as to do their work. The "Atlanta Constitution" not long since published a report from Alabama, saying:

> "The disfranchisement of the negro under the new Constitution [Ala.] was complete, and the records show that less than 3,000 in the entire State have registered under the temporary plan. It is scarcely possible for the combined opposition of Republicans, Populists and Socialists to poll more than 20,000 votes in the whole State."

This prediction came true in the 1904 election.

The necessity of equalizing the voting power is thus shown not to be on account of the disfranchising of the colored race alone.

Disfranchisement is not confined to the States named, nor are the methods adopted to deny or abridge the right to vote uniform. The utmost wit of man has been drawn on to accomplish the desired end, and successfully. It is not, however, important to know, for the purposes of enforcing the Amendment, just how disfranchisement is brought about; it is sufficient for Congress to ascertain that it has been accomplished.

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It is no objection to say that, while Section 3 of the Amendment expressly empowers Congress "to enforce by appropriate legislation the provisions of the article," it must find out judicially how the disfranchisement has been accomplished, or exactly to what extent it has taken, or will take, place. The fact that such power is, by the Constitution, vested in Congress is a full answer to the claim that it would be the exercise of a "judicial function" Congress does not possess. The supposed conflict between the Congress and the Supreme Court cannot possibly arise. The power of Congress to enforce the Amendment involves its finding, conclusively, whatever facts are requisite to its enforcement.

If a constitutional provision requires Congress to do anything requisite to its enforcement, the fact that another tribunal is usually charged by the same instrument with the power to do the same, or a like, thing does not take away the constitutional duty or right of Congress to act. The President is very frequently required, both by the Constitution and the laws, to find facts precedent to executive action, and, when found, there can be no review, either as to his finding or to the action he has based thereon. So, as to the exercise of the legislative powers of Congress which are plainly vested in it by the Constitution. If it were true, as claimed, that all judicial power was vested in the courts by one section of the Constitution, it is equally true that another and later one gives Congress the exclusive right to do whatever is necessary, whether judicial in its nature or not, to enforce the Fourteenth Amendment. It is not conceded that an incidental finding, necessary to the exercise of a legislative duty, is the exercise of a judicial power.

What is meant by the "judicial power of the United States" need not be discussed here; it is enough to know that it does not include any congressional power. That there are difficulties in the way of exercising a power, is no argument against its existence. Congress, when it submitted, and the States, when they ratified, the Amendment, understood the difficulties in the way of its execution; yet the anticipated necessity for a remedy to preserve the underlying principle of equality among the sovereign people of the States was so great that they enjoined the important duty on Congress alone.

The claim that the Fifteenth Amendment, in any sense, repealed the Fourteenth is not new.

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The history of the Amendments is instructive. Each is an evolution. The "Ohio idea" was first advanced, providing that negroes should be counted in making up representation only in States where they were permitted to vote. Then came Mr. Stevens's plan to base it on legal voters alone. Then followed Mr. Conkling's plan to apportion Representatives among States according to number, with the proviso:

> "that whenever in any State, the elective franchise shall be denied or abridged on account of race or color, all persons of such race or color shall be excluded from the basis of representation."

This being referred to the Joint Committee on Reconstruction was reported back in a new form, but in substance the same; it passed the House, but, after many attempts so to amend it as to incorporate what is now the Fifteenth Amendment, prohibiting disfranchisement on account of race or color, etc., it was altered and passed by both Houses in its present form, the conclusion being then reached, Southern members aiding, to vest Congress with power to reduce representation where the right to vote was denied or in any way abridged for any cause, whether in consequence of an educational or property qualification, or on account of race, color or previous condition of servitude. There was almost a general agreement that if inequality in voting power arose between States, Congress should have power to adjust it.

The fundamental principle of equality of citizenship is as much overthrown, and the natural evil consequences resulting are the same, however produced.

If we keep steadily in view that the central principle embodied in the second section of the Fourteenth Amendment was to secure, as nearly as possible in human affairs, universal equal political power, as exercised through the elective franchise in the several States of the Union, we will avoid technical theories.

If the Fifteenth Amendment had prohibited an educational test or a property qualification of a voter, it would have as much affected the Fourteenth as it does in its present form.

When the Fifteenth Amendment was adopted, it was not dreamed that it abrogated the Fourteenth, and the necessity for the latter is now more apparent than when it was framed.

The three War-Amendments were proclaimed and ratified in the order of their numbers, December 18th, 1865, July 28th,

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1868, and March 30th, 1870. (Virginia ratified the Fourteenth after the Fifteenth had been submitted.) And substantially the same Senators and Representatives, after the Fifteenth Amendment was ratified, gave their understanding of the continuing existence of the Fourteenth by passing a law, never repealed, dated February 2nd, 1872 (now Sec. 22, R. S. U. S.), embodying the language of Section 2, thus:

> "Should any State deny or abridge the right of any of the male inhabitants thereof, being twenty-one years of age, and citizens of the United States, to vote at any election named in the amendment to the Constitution, article fourteen, section two, except for participation in rebellion or other crime, the number of representatives apportioned to such State shall be reduced in the proportion which the number of male citizens shall have to the whole number of male citizens twenty-one years of age in such State."

The pretence that the last amendment repealed the one preceding was not pressed, if thought of.

The settled rule of construction is against repeals by implication; and this rule is enforced with more rigor when interpreting constitutional provisions, because they are known to be more deliberately framed and adopted than statute laws. But, keeping in mind the evil sought to be avoided or remedied, and finding that the cause of the evil is not alone on account of disfranchised colored citizens, it is patent that no inconsistency exists between the two amendments which could give rise to any implication that the latter was intended to repeal the former.

The supposed absurdities which, it is claimed, would arise in reducing representation when citizens are prohibited from exercising suffrage because they are criminals, idiots, uneducated, non-taxpayers, etc., have no bearing on the question. If there be such a difference in the disqualification of voters for these or other like reasons as to produce a substantial inequality in voting between States, Congress should promptly reduce representation proportionately, as the Amendment provides. This may never be found necessary, as experience shows that disfranchisement for such causes has been so nearly the same in all the States as not to produce any substantial difference. The existing conditions, as we have seen, are great enough to command action, and while their injustice is being attended to, the smaller ones can also be attended to.

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There is nothing sectional in enforcing a constitutional provision, especially one guaranteeing equality of political power. If the proposition were to grant unequal representation (such as now exists) among States of the Union, is there a statesman, patriot or voter in the Union who would openly advocate it? To do so would require the claim to be made that a voter in one State of the Republic possesses higher political rights, and is a safer depositary of governing power than a voter, or a number of voters, in some other States, and would necessarily require an investigation as to whether the preferred voter should be endowed with double or treble political rights—an affirmative decision on this point leading inevitably to but one conclusion, that the few should govern the whole. Then autocracy and monarchy would be in sight.

The asserted right of the self-elect few in a State to vote for the disfranchised many, because the latter, white or black, are not sufficiently endowed, mentally or morally, to vote intelligently, needs no discussion here. If there are those who cannot be trusted with suffrage, they should not be trusted, if they would, to confer their right of suffrage on more favored citizens of their States. Suffrage cannot be delegated; if it could, it should be delegated in a Republic based on equality of citizenship, as is ours, to all voters in the Union alike.

The assertion that the Amendment did not vest in Congress the power to reduce the representation of a State, provided its disfranchising "regulations were uniform and did not discriminate on account of race, color or previous condition of servitude," finds no warrant anywhere. The Amendment does not refer to uniform suffrage regulations within a State, nor to discriminations on account of race, color or previous condition of servitude. Subject to the limitations of the Fifteenth Amendment, the regulation of the elective franchise is left to each State, with the duty enjoined on Congress so to regulate representation as to secure equality among the voting citizens of the Union.

The constitutional provision is quite plain. The denial of suffrage is not even necessary; for if it is "*in any way abridged*" the duty—not mere right—devolves on Congress to reduce the basis of representation in the State denying or abridging suffrage "in the proportion which the number of such male citizens [meaning the so disfranchised] shall bear to the whole number of

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male citizens twenty-one years of age in such State." This constitutional duty enjoined on Congress, being in the interest of equality of sovereign, or individual, power, the basic principle upon which our nation professes to be founded, and the preservation of which is absolutely necessary to its permanency and perpetuity, leaves no room for strict construction in the interest of those enjoying an unjust share of political power in the choice of a President and Vice-President, Representatives in Congress, etc. The article under review does not deny the existence of disfranchisement, but it seeks to find a way to defeat the plain purpose of the constitutional provision.

The author is to be congratulated for not claiming that the provision should not be enforced for fear of inciting race conflicts in the States denying or abridging suffrage. He doubtless understands, as do others, that there is more danger that the disfranchised whites and blacks, seeing that a few only are allowed to vote and govern, will, in some form, sooner or later, rebel against the injustice, and seek a remedy.

The Constitution requires that "the United States shall guarantee to every State in this Union a republican form of government." This is not secured alone by mere form, but by regulating, within constitutional requirements, the exercise of the powers of each State, so that no inequality shall exist between the people thereof in their relation to each other and to the people of all the other States.

The Constitution was created by and for the people of all the States. Its preamble recites:

> "We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

A perfect union cannot be formed, nor justice established, domestic tranquillity insured, common defence provided for, general welfare promoted, and the blessings of liberty to ourselves and our posterity secured by establishing and maintaining an inequality in political power by allowing a few in one State, regardless of conditions or methods, to exercise the elective franchise given to the many in other States of the Union.

JOSEPH WARREN KEIFER.

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THE FIRST AMERICAN IMPERIALIST.

BY WILLIAM S. ROSSITER.

THE present colonial policy of the United States did not originate in the conditions growing out of the war with Spain. It was advocated fifty-two years ago by a commodore of the United States navy, who wrote of his purposes and impressions to the Navy Department from the old side-wheeler "Susquehanna," cruising in 1853 in the Japan Sea. This man was Matthew C. Perry, a product of the early navy, trained in the school of Bainbridge, Hull and Decatur, brother of "Perry of the Lakes," and his superior in most matters of administration and judgment.

The treaty which resulted from the American expedition to Japan, commanded by Commodore Perry, was signed at Kanagawa, beside the Bay of Yedo, March 31st, 1854. This historic document terminated the Japanese policy of seclusion which had been strictly enforced for two centuries, and marked the beginning of intercourse and trade with the United States, and subsequently with other foreign nations.

The immediate occasion for the American expedition was the barbarous treatment experienced by American sailors wrecked on the coasts of Japan. In the treacherous waters of the Indian Ocean and the China and Japan Seas, shipwrecks were frequent. Prior to the negotiation of the treaty, foreigners had been so rigidly excluded that ships of other nations, even when in distress, were not permitted to enter Japanese ports, and shipwrecked seamen had been subjected to the most cruel treatment. Even Japanese sailors, driven to sea in the frail junks employed in coastwise traffic and picked up by foreign vessels, or cast upon foreign shores, were not permitted to return to their native land if brought in foreign ships.

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Had the expedition to Japan been an ordinary event in naval history, satisfaction over the successful outcome of it would have died out long ago. The contrary has occurred. Each turn in the rapid movement of affairs in the Orient, and our own entry, within a decade, into the company of ruling Powers across the Pacific, have emphasized the importance of the expedition, the influence of which still lingers in the cordial relations existing between the United States and the Japanese Empire.

After the beginning of the nineteenth century, Japan's policy of seclusion, which had been in force since 1638, became increasingly impracticable. Western nations were beginning to compete actively for Eastern trade, and the large population and reputed wealth of this hermit nation offered great temptations to mercantile enterprise. The Portuguese, who had been the first to secure a foothold in the islands (in 1542), and to whose religious activity the Japanese policy of exclusion was principally due, repeatedly attempted to reestablish commercial relations. The French, Dutch, Spanish, English, Russians, and Americans, successively endeavored to trade or negotiate treaties, but failed; although the Dutch were allowed to send a trading-ship annually to Nagasaki and to keep, under humiliating conditions, a resident Commissioner at that point. As the century advanced, the Japanese, indeed, showed a tendency to enforce exclusion even more strictly. They observed closely the course of events in the East, and perceived that England was gaining a foothold on the mainland at Shanghai and Hong Kong, and elsewhere in the Orient. They feared that a similar policy would be attempted in connection with their own country.

The early visits of Americans to Japan were unofficial and commercial; but, prior to the expedition commanded by Commodore Perry, the Federal Government had made three attempts to open communication with Japanese authorities. In 1832, a commercial agent, Mr. Roberts, was appointed; but, unfortunately, he died before reaching the islands; in 1846, Commodore Biddle, acting under the instructions of the Navy Department, visited Uraga with the ship of the line "Columbus" and the sloop "Vincennes," but was unable to secure any concessions; and, in 1848, Commander Glynn entered the harbor of Nagasaki in order to rescue fifteen seamen wrecked from the whaling-ship "Ladoga." He forced respect for the American flag and the

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release of the seamen by threatening to fire upon the city unless his demands were complied with.

By the middle of the century, Japan's policy of exclusion had become of greater importance to the United States than to any other nation. It involved far more than mere commercial extension. The sperm-whale had been nearly exterminated in the North Atlantic, but it was still abundant in the North Pacific, and the base of the whale-hunting industry was being shifted to the Pacific coast. Many incidental but important changes resulted from this transfer. In 1845, when whaling had reached its greatest prosperity, more than fifteen million dollars of American capital were invested in this industry in the Far East. At least ten thousand men were employed in connection with it. The Japanese themselves state that in one year, shortly before the arrival of Commodore Perry, nearly one hundred American whalers passed Matsumae.

This transfer of the whaling industry to the Orient necessitated relations with Japan. In 1846, two whaling-ships were wrecked on the island of Nippon; their crews were captured and treated with great barbarity, their lives being spared only through the intercession of the Dutch Commissioner. So serious did this matter become that, in discussing the attitude of Japan, the American Secretary of State declared that the Japanese were derelict in those responsibilities which devolve upon every independent nation; and he laid down the rule that, if a nation habitually and systematically disregarded the plain requirements of civilization in the treatment of unfortunate persons cast on their shores by stress of weather, as if they were the most atrocious criminals, such a nation must be regarded as the common enemy of mankind.

Moreover, if permitted to remain undisturbed, conditions were liable to grow worse rather than better, for the navigation of the ocean by steam, the acquisition and rapid settlement by the United States of the vast territory on the Pacific, and the rapid communication established across the Isthmus had brought the United States into much closer proximity to the East than ever before; and, although the consequences of these events had scarcely begun to be felt, intercourse had already greatly increased.

Thus, by 1851, the necessity of protecting American citizens

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navigating the China and Japan Seas had become urgent. In that year, the bark "Auckland" picked up at sea a number of Japanese waifs and carried them to San Francisco. Learning of this event, Commodore Aulick interested the Secretary of State in a plan for opening communication with Japan; and Mr. Webster addressed an official note to Mr. Graham, the Secretary of the Navy, suggesting that the incident offered an opportunity for opening commercial relations with Japan, or, at least, for securing some relief from the unfavorable conditions then prevailing.

Meanwhile, affairs within the Japanese Empire were also approaching a crisis: the anomalous dual government of Mikado and Shogun was soon to cease, and conditions were ripe for a complete change of policy. Commodore Perry, therefore, anchored off Uraga at a moment favorable to the success of his mission. So successful, indeed, was the expedition that it does not appear that any inquisitive historian has ever raised the question as to what would have happened had diplomacy failed. For just such a contingency, however, the methodical and far-sighted Perry was fully prepared.

In case of failure, Commodore Perry planned to seize a conveniently located island, and to hold it in the name of the United States until ordered to let go; to create a harbor of refuge for Americans stranded in that distant region, and to found a centre of influence for American trade, in order to counteract the colonizing and commercial invasion of the East by Great Britain. Incidentally, he expected to bring good government and prosperity to the natives.

Half a century later, the policy which Commodore Perry outlined was to be known in the controversies of American politics as "Imperialism." In the light of this interesting fact, the official correspondence between Perry and the Navy Department, which may be found in the neglected pages of a volume of Miscellaneous Documents of Congress (1855), assumes an importance quite apart from its historical character.

Of all persons in the service of the Government at that time, Commodore Perry was probably best fitted to succeed in the delicate task upon which he was despatched, and to form an intelligent forecast of future conditions in the East. He was the product of the early navy, having become a midshipman in

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1809 at the age of thirteen; and he was only seventeen when, under Rodgers in the frigate "President," he chased and fought the British in the second war with England. At eighteen he was a lieutenant, and at twenty-five the commander of a 12-gun schooner. The years that followed these early and stirring experiences ripened the knowledge thus gained. He made cruises in the now long-forgotten "line-of-battle ships" and frigates, such as the "North Carolina" and "Brandywine," manned by men of Nantucket and Cape Cod; he saw honorable and most important service in the Mexican War; and, by study and patient experiment in adapting steam to successful use in war-vessels, he won the title of "Father of the Steam Navy." When Perry received his last and most important assignment, the Japan expedition, he had completed forty years of active service and achievement. Throughout his long service, whether chasing slavers, stamping out scurvy, improving the morals and discipline of his crew, or commanding a fleet, he accomplished his task with conspicuous fidelity and attention to detail.

The instructions of the Navy Department to Commodore Perry enclosed a communication from the State Department. "The objects sought by this Government," wrote Mr. Conrad, Acting Secretary of State, to Mr. Kennedy, the Secretary of the Navy, "are these:

"1. To effect some permanent arrangement with Japan for the protection of American seamen and property wrecked on these islands, or driven into their ports by stress of weather.

"2. The permission to American vessels to enter one or more of their ports in order to obtain supplies of provisions, water, fuel, etc., or, in case of disasters, to refit so as to enable them to prosecute their voyage. . . .

"3. The permission to our vessels to enter one or more of their ports for the purpose of disposing of their cargoes by sale or barter. . . . This Government, however, does not seek by this expedition to obtain any exclusive commercial advantage for itself, but, on the contrary, desires and expects that whatever benefit may result from it will ultimately be shared by the civilized world, as there can be no doubt that if the ports of the country are once opened to one nation they would soon be opened to all. . . . If, after having exhausted every argument and every means of persuasion, the Commodore should fail to obtain from the Japanese Government any relaxation of their system of exclusion, or even any assurance of humane treatment of our shipwrecked seamen, he will then change his tone, and inform them in the

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most unequivocal terms that it is the determination of this Government to insist that hereafter all citizens or vessels of the United States that may be wrecked on their coasts, or driven by stress of weather into their harbors, shall, so long as they are compelled to remain there, be treated with humanity, and that, if any acts of cruelty should hereafter be practised upon citizens of this country, whether by the Government or by the inhabitants of Japan, they will be severely chastised. . . . It is impossible by any instructions, however minute, to provide for every contingency that may arise in the prosecution of a mission of so peculiar and novel a character. For this reason, as well as on account of the remoteness of the scene of his operation, it is proper that the Commodore should be invested with large discretionary powers, and should feel assured that any departure from usage or any error of judgment he may commit will be viewed with indulgence."

At the outset, Perry clearly was not sanguine concerning the success of the Japan expedition; and, in his systematic way, he began at once to outline possible procedure in case of failure. Touching at Madeira on his outward journey, he wrote the Department under date of December 14th, 1852:

"Since leaving the United States, I have had leisure to reflect more fully upon the probable result of my visit to Japan; and, though there is still some doubt in my mind as to the chances of immediate success in bringing that strange Government to any practicable negotiation, yet I feel confident that in the end the great object in view will be effected. As a preliminary step, and one of easy accomplishment, one or more ports of refuge and supply to our whaling and other ships must at once be secured; and, should the Japanese Government object to the granting of such ports upon the mainland, and they cannot be occupied without resort to force and bloodshed, then it will be desirable in the beginning, and indeed necessary, that the squadron should establish places of rendezvous at one or two of the islands south of Japan, having a good harbor and possessing facilities for obtaining water and supplies. . . . The islands called 'Lew Chew group' are said to be dependencies of Japan, as conquered by that Power centuries ago, but their actual sovereignty is disputed by the Government of China. . . . Now, it strikes me that the occupation of the principal ports of those islands for the accommodation of our ships of war, and for the safe resort of merchant vessels of whatever nation, would be a measure not only justified by the strictest rules of moral law, but—what is also to be considered—by the laws of stern necessity; and the argument may be further strengthened by the certain consequences of the amelioration of the condition of the natives—although the vices attendant upon civilization may be entailed upon them. . . . When we look at the possessions in the East of our great maritime rival, England, and of the constant

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and rapid increase of their fortified ports, we should be admonished of the necessity of prompt measures on our part. By reference to the map of the world, it will be seen that Great Britain is already in possession of the most important points in the East India and China Seas, and especially with reference to the China Seas. . . . Fortunately, the Japanese and many other islands of the Pacific are still left untouched by this unconscionable Government; and, as some of them lie in a route of a commerce which is destined to become of great importance to the United States, no time should be lost in adopting active measures to secure a sufficient number of ports of refuge. . . . I have thus exhibited, in this crude and informal communication, my views upon a subject which is exciting extraordinary attention throughout the world, and I trust that the Department will approve the course I propose to pursue."

This letter was answered by Mr. Edward Everett, Secretary of State, in part as follows:

"Your despatch of the 14th of December has been referred by the Secretary of the Navy to this Department, and by me submitted to the President. The President concurs with you in the opinion that it is highly desirable,—probably necessary for the safety of the expedition under your command,—that you should secure one or more ports of refuge of easy access. If you find that these cannot be obtained in the Japanese Islands without resort to force, it will be necessary that you seek them elsewhere. The President agrees with you in thinking that you are most likely to succeed in this object in the Lew Chew Islands. They are, from their position, well adapted to the purpose; and the friendly and peaceful character of the natives encourages the hope that your visit will be welcomed by them. . . . The President is gratified to perceive that you are impressed with the importance of the enterprise confided to your direction, the success of which will mainly depend upon your prudence and address. It will attract a large share of the attention of the civilized world; and the President feels great confidence that the measures adopted by you will reflect credit on your own wisdom and discretion, and do honor to your country."

This approving letter from the distinguished Secretary of State was the last word of the Fillmore administration to the Japan expedition. It is of especial interest because it expresses hearty approval of the Commodore's definite announcement of his plans, the repetition of which later on disturbed the equanimity of the Pierce administration.

On April 9th, Commodore Perry reported to the Department his arrival at Hong Kong. Late in May, he sailed for the Lew Chew Islands. The squadron, consisting of the steamers "Sus-

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quehanna" (flagship) and "Mississippi," the sloop "Saratoga" and the store-ship "Supply," anchored on May 26th in the harbor of Napa, on the island of Okinawa-shima, called by Perry "Great Lew Chew." The following month was occupied, in accordance with the Commodore's programme, in exploring this island and also the Bonin Islands, lying to the westward.

Personal investigation of conditions in the Far East appears to have strengthened the opinions outlined by Commodore Perry in his communication from Madeira. It is equally clear that his early impression of the availability of one of the Lew Chew Islands as a sphere of American influence was fully confirmed, for he evidently leaned toward appropriating both Great Lew Chew, and even Peel Island also, of the Bonin group. From the harbor of Napa, Lew Chew, under date of June 25th, he wrote at length to the Secretary of the Navy. Parts of this letter relate to the urgent need of a line of steamers across the Pacific, and the remainder to the characteristics, history, and value of the Bonin Islands. He wrote:

"I have, from the commencement of the cruise, kept constantly in view the port in which we are now at anchor [Napa, Lew Chew] and the principal harbor of the Bonin group, as well for general convenience of resort as to furnish connecting links or suitable stopping-places for a line of mail-steamers, which I trust may soon be established between some one of our Pacific ports and China, an event so much to be desired, and, if accomplished, one that will be distinguished, even in the history of these remarkable times, as of the highest importance to the commerce of the United States. . . . It is impossible to estimate in anticipation the advantages that may grow out of an intercourse so rapid and so certain.

"I cannot in this letter give a full description of the Bonin Islands. It is enough to say Port Lloyd is admirably adapted for a coal depot and stopping-place for steamers; its geographical position is convenient either for a route to Shanghai or Hong Kong from the Sandwich Islands. The climate is salubrious, and the harbor commodious and safe, and perfectly easy of access either by day or night. . . . Should the Department, however, deem it desirable for me to take possession of the islands in the name of the United States, I will do so and adopt the best means of holding them. . . . Lew Chew is a direct and valuable dependency of Japan, and we have, even now, all the control over it necessary for our present purposes. . . . I shall keep a ship here whenever one can be spared."

The despatch to the Department from the steamer "Susque-

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hanna," dated at sea, August 3rd, makes it clear that the indecisive visit to Japan, then just ended, had left the Commodore still more favorably inclined to the policy of gathering in a convenient island or two for the United States. He wrote:

"Every day of observation strengthens the opinion so often expressed in my communications to the Department, that the large and increasing commerce of the United States with this part of the world makes it not only desirable, but indispensable, that ports of refuge should be established at which vessels in distress may find shelter."

This letter did not reach Washington until the following November; and, taken in connection with the previous reports and confidential communications, disturbed the new Secretary of the Navy, who rejoiced in the steady-going name of Dobbin. The Pierce administration appeared to be less interested than its predecessor in the Commodore's plans, and showed a marked unwillingness to accept responsibility for aggressive measures. Under date of November 14th, Secretary Dobbin replied to the Commodore's letter at some length, in part as follows:

"Your several despatches, bearing date of August 3rd, 1853, have been received. I have perused them with much interest and have availed myself of this occasion to assure you of my gratification that your long and perilous voyage to Japan has been accomplished successfully. . . . These communications have all been submitted to the President, who, while he would be happy to see your interesting mission crowned with success, and would aid you as far as he can legitimately, desires to impress you with his conviction that the great end should be attained, not only with credit to the United States, but without wrong to Japan. I need not remind you that your mission is one of peaceful negotiation, and that, although in consideration of the peculiar character of the Japanese much importance may well be attached to the exhibition of impressive evidences of the greatness and power of our country, no violence should be resorted to except for defence.

"It is very desirable to make our navy a useful branch of the Government, both in extending and protecting commerce and trade; but, as Congress alone has power to declare war, too much prudence cannot be exercised, even in the great work in which you are engaged. These suggestions are not made to discourage your laudable zeal, nor to detract from the magnitude of your mission. Every confidence is reposed in your judgment and patriotism. They have, however, been called forth by a portion of your interesting notes in which you express some hope of success in the spring by operating on the fears of the Japanese, and speak at the same time of the number of batteries already erected on the shore to 'expel the Americans,' and of the

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probability of more being constructed before spring, therefore indicating the opinion that they are prepared to give you a warlike reception."

The Secretary then declines for various reasons to despatch the additional ships which had been promised when the Commodore was ordered to the East, and adds:

"The President entertains the opinion that this [your] force will be amply sufficient for purposes of defence, and will be an exhibition of power calculated to impress the Japanese and favorably effect the object of your mission, so far as naval force can effect it, unless landing large bodies of men and invasion be contemplated, which Congress in its wisdom, I presume, will not be disposed to sanction in a country so remote, without great provocation. . . .

"In consideration of the vast expense and the great need of some of your squadron for other purposes, it is much to be regretted that final action should have been postponed to so late a period as next spring. The President desires that, as you have advanced thus far, and have given notice of your intention to return in the ensuing spring, you will accordingly proceed to Japan and resort to every honorable and reasonable effort to persuade the Japanese to abandon their inhospitable and unsocial system and to effect a treaty of amity and commerce."

Meantime, Commodore Perry, conscious of having accomplished much by his first visit to Japan, expresses the hope that he will not be interfered with. On September 2nd, he writes:

"I trust there will be no change in my instructions that will divert me from this great object of my life. I had the assurance of the former administration, especially of Mr. Webster, that I should act alone in this responsible duty, and such was the understanding when I assumed command. As the service is one strictly naval and must be managed by naval means, the free and uncontrolled command of my whole force is absolutely necessary to secure anything like success. The pursuance of the rules of ordinary diplomacy cannot have the slightest effect upon these sagacious and deceitful people."

The attitude of the Pierce administration is clearly revealed in Secretary Dobbin's letter, dated October 28th. He wrote:

"The President trusts that it may not seriously incommode your operations in regard to Japan to cooperate with our commissioner in the interesting undertaking of bringing about further intercourse with the Government of China, to form commercial treaties of vast benefit

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to the American people, and introduce a new era in the history of trade and commerce. The mission in which you are engaged has attracted much admiration and excited much expectation. But the present seems to be a crisis in the history of China, and is considered by many as throwing around China as much interest and attraction as Japan presents. To have your name associated with commercial intercourse with Japan may well excite your pride, but to be identified also with the great events which I trust may yet transpire in connection with China may be well esteemed a privilege and an honor."

This despatch does not appear to have influenced Commodore Perry in the least; but his personal observation of affairs in China confirmed his belief in the necessity for a more vigorous American policy in the Far East. Under date of December 24th, while preparing at Hong Kong for the second visit to Japan, and much annoyed by the inquisitive interest of Russian, French and English naval officers, he wrote the Department:

"I shall in no way allow any infringement upon our national rights; on the contrary, I believe that this is the moment to assume a position in the East which will make the power and influence of the United States felt in such a way as to give greater importance to those rights which, among Eastern nations, are generally estimated by the extent of military force exhibited.

"Considering that I am acting very much upon my own responsibility, I should desire to be instructed as to the policy, which I do not hesitate to recommend, of continuing the influence which I have already acquired over the authorities and people of the beautiful island of Lew Chew; an influence, in truth, acquired without the commission of a single wrong upon the people, but rather contributing to their advantage.

"The Department will be surprised to learn that this dependency of Japan, tracing its royal genealogy in regular succession from the twelfth century, is in such a state of political vassalage and thraldom that it would be a merit to extend over it the vivifying influence and protection of a Government like our own.

"It is self-evident that the course of coming events will ere long make it necessary for the United States to extend its territorial jurisdiction beyond the limits of the Western Continent; and I assume the responsibility of urging the expediency of establishing a foothold in this quarter of the globe, as a measure of positive necessity to the sustainment of our maritime rights in the East.

"I shall continue to maintain the influence over the authorities and people of the Lew Chew which I now command, but it is important that I should have instructions to act promptly, for it is not impossible that some other Power, less scrupulous, may slip in and seize upon the advantages which should justly belong to us."

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From Napa, at Great Lew Chew, a month later, January 25th, 1854, the Commodore reported to the Department, summarizing the policy he proposed to follow in Japan, and outlined in no uncertain fashion his intentions in case of failure. It appears from this letter that he expected to obtain concessions from the Japanese concerning treatment of American citizens, but was very doubtful as to his ability to secure the opening of Japanese ports to American vessels, or any commercial privileges. He wrote:

"It will, therefore, become necessary, in the absence of specific instructions, for me to assume certain responsibilities, and to act according to circumstances, and as my best judgment may dictate.

"To this end, it is my intention, should the Japanese Government refuse to negotiate, or to assign a port of resort for our merchant and whaling ships, to take under the surveillance of the American flag, upon the ground of reclamation for insults and injuries committed upon American citizens, this island of Great Lew Chew, a dependency of the Empire, to be held under such restraint until the decision of my Government shall be known, whether to avow or disavow my acts. Until such action is had, the responsibility will rest solely upon me; and I shall assume it as a measure of political precaution, for it is certain that, if I do not take preliminary steps before leaving this port for Yedo for adopting such course, the Russians or French, or probably the English, will anticipate the design.

"It will be understood that in no way will the authorities or people of the island be molested or interfered with, nor will any force be used, unless in self-defence; in truth, we already possess all necessary influence in the island, which has been acquired by kindness and non-interference with their laws and customs.

"The Americans have stronger claims for redress upon the Japanese than any other civilized nation; and, though it does not belong to the spirit of our institutions to extend our dominion beyond sea, positive necessity requires that we should protect our commercial interests in this remote part of the world, and in doing so, to resort to measures, however strong, to counteract the schemes of Powers less scrupulous than ourselves.

"Therefore, in my present position, I cannot but feel the weight of responsibility which this peculiar state of things imposes upon me; and, being aware of the expectation of the Government and people of the United States, with respect to Japan, I shall not flinch from the exercise of powers, the propriety of which may be, at first, questioned by many, but the avoidance of which would be pronounced by all as showing a want of sagacity and firmness on my part."

The island which Commodore Perry thus selected for seizure

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in the name of the United States, should he fail in the object of his expedition to Japan, was the largest of a chain of islands, about 400 miles northeast of Formosa. Of the fifty-five islands composing the group thirty-six are inhabited. They originally formed the kingdom of Loo Choo, but are now a part of the Empire of Japan. The spelling employed by Commodore Perry appears never to have been followed by others, as the islands have been variously known as Loo Choo, Lu Chu, Liu Kiu, Liu Chiu, and Riu Kiu, the last mentioned being the name now in use. The total area of the group is about 1,000 square miles. The largest and most important island, now called Okinawa-shima, the "Great Lew Chew" referred to by Commodore Perry, is about sixty miles in length and narrow. The climate is healthful and pleasant, with an average temperature of 70 degrees Fahrenheit; the soil is fruitful and well cultivated, sugar and sweet-potatoes forming the principal crops. The people are of Japanese origin, with a fondness for the Chinese language and literature. Since 1874, when China relinquished all claims by treaty with Japan, the islands have formed a prefecture in the Japanese Empire, and a garrison is stationed at Shoudi, the principal city. The present population of the entire group of islands is about half a million.

In the volume commemorating the Perry expedition, published by order of Congress, and practically edited by the Commodore himself, there is an extended account of the Lew Chew islands, most of which was written by Bayard Taylor. From this account, it is clear that the officers of the expedition shared the Commodore's favorable impressions of Great Lew Chew. They described the shores as green and beautiful, diversified with groves and fields of richest verdure. Sweeping hills, which rose immediately from the water's edge, increased in height toward the centre of the island, and were picturesquely broken by projecting rocks and crags which rose here and there, giving evidence of volcanic action. From the dividing ridge or crest of the island, a magnificent panorama opened. The hills were cultivated to their very tops, and carefully terraced. Some of the thoroughfares were almost equal to the macadamized roads of England, while the roofs of red tiles, the dark green foliage of the trees, the walls touched with cactus, and the occasional appearance of a palm or banana, suggested the towns of Sicily.

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The inhabitants possessed a Japanese cast of countenance and dusky olive complexions. They were much quicker in perception than the Chinese, as well as much more agreeable in features and neater in appearance.

The object of Commodore Perry's second visit to Japan had been attained, and the event was nearly two months old when his noteworthy communication of January 25th was received at Washington in the following May. The despatch appears to have created consternation in the Cabinet of President Pierce. The naval expedition to Japan had caught the fancy of the American public, and excited widespread interest both in this country and abroad; possibly for this reason the administration had fallen in with the plans of its predecessor, and had advanced the project with reasonable energy, but lacked the enthusiasm of Mr. Webster and Mr. Everett. Still in ignorance of the successful outcome of the negotiations with Japan, and confronted by the embarrassing fact that the United States might even then be the possessor of an island colony in the Far East, the Secretary of the Navy, Mr. Dobbin, under date of May 30th, hastened to reply to the Commodore's remarkable despatch. Omitting the opening reference to routine Department matters, the letter was as follows:

"Your despatch No. 39, dated at Napa-Keang, Great Lew Chew, January 25th, 1854, has been received. . . . Your suggestion about holding one of the Lew Chew islands 'upon the ground of reclamation for insults and injuries committed upon American citizens, should the Japanese Government refuse to negotiate or to assign a port of resort for our merchant and whaling ships,' is most embarrassing. The subject has been laid before the President, who, while he appreciates highly the patriotic motive which prompts the suggestion, is disinclined, without the authority of Congress, to take and retain possession of an island in that distant country, particularly unless more urgent and potent reasons demanded it than now exist. If, in future, resistance should be offered and threatened, it would also be rather mortifying to surrender the island, if once seized, and rather inconvenient and expensive to maintain a force there to retain it. Indulging the hope that the contingency may not arise to occasion any resort to the expedient suggested, and that your skill, prudence and good judgment may enable you to triumph over the ignorant obstinacy of the Japanese without violence, it is considered sounder policy not to seize the island as suggested in your despatch."

It must be remembered that the ocean cable was still unknown,

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and that the movement of mails about the world was slow and perilous. This despatch from the Navy Department, which contained a virtual order to scuttle from Lew Chew, should that island have been seized, was not received by the American commander until early in August. Thus, had the negotiations with Japan failed in March and the American flag been raised over Lew Chew, the government of that fertile and valuable island would have been administered by American officials for nearly five months before the arrival of the instructions dated May 30th. Meantime, events in the East might easily have led to the necessity for additional and more specific instructions from the Department before relinquishing territory which had been actually seized.

While it is profitless to pursue the "might have beens" of history, the temptation is great to pause a moment on the threshold of this interesting possibility. It must be remembered that the American people have had many opportunities to pass upon the question of acquisition of territory, and that invariably they have decided in the affirmative. Prior to the period under consideration, they had added all the contiguous territory we now possess; distant and inaccessible Alaska was secured not long afterward; next, Hawaii, still farther away; and, lastly, we have acquired dominion in the Far East on a grander scale than probably even the far-sighted Perry ever dared to hope for. Each of these additions to our national domain was opposed. Concerning even the retention of the Philippines—much debated and vigorously opposed—the American public appears to be in no doubt, for at three general elections a decisive verdict, culminating in a gigantic majority, has been rendered in favor of retention without qualification. It is quite within possibility, therefore, that, if the news that the Stars and Stripes were flying over Great Lew Chew had been received, it might have aroused considerable popular enthusiasm. Commodore Perry was so widely known and universally admired and respected that his opinions and acts would have carried much weight with his countrymen; the expedition which he commanded had attracted attention throughout the world, and American national pride had been deeply stirred; the period, moreover, was one of commercial awakening. Even the Secretary, with no previous occurrences of the kind to suggest caution, foresaw that the with-

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drawal of the flag, if once raised, would be "mortifying." The truth of his comment was long afterward proved by the Cleveland administration in connection with Hawaii.

This, however, is merely speculative. Success, even greater than was hoped for, resulted from the squadron's second visit to Japan, and the new treaty met every reasonable requirement of the period. In America there was an outburst of approval over Perry's success. The rising tide of enthusiasm reached even the timorous Dobbin, who wrote, September 19th, 1854:

"I tender you my warm congratulations on the happy success of your noble and interesting mission. You have won additional fame for yourself, reflecting new honor upon the very honorable service to which you belong, and, we all hope, have secured for the country, for yourself, and for civilization, a triumph the blessings of which may be adopted by generations as yet unborn."

Escape from the embarrassment of a colony on the other side of the world, no doubt, accounts for part of the Secretary's enthusiasm; and yet the first of those "unborn" generations to which he poetically refers, led by the course of recent events in the Far East, has endorsed in all its essential particulars the policy outlined by Matthew C. Perry, the first American Imperialist.

WILLIAM S. ROSSITER.

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WHAT ENGLISH POETRY OWES TO YOUNG PEOPLE.

BY THE REV. FRANCIS E. CLARK, D.D., PRESIDENT OF THE UNITED SOCIETY OF CHRISTIAN ENDEAVOR.

BEFORE leaving their teens some lads have written that which the world has not yet let die. At the age when most boys are learning to swing the bat, or to cut a pigeon's wing on the ice, Henry Kirke White was writing some of the best hymns that are sung in the churches, and Keats was proving that he had few peers among those who have written the English language, and Chatterton was hoaxing grave professors and acute *literati* with his old-fashioned verses.

At the age when most young men are learning how to fall in love and how to fall out again with celerity and despatch, Shelley was entrancing the world with his wonderful verses, and Pollok was discoursing in Calvinistic diction on the "Course of Time" and wrestling with theology and metaphysics in poetic guise, and George Farquhar was convulsing the English public with his comedies. I will confine myself to the impression made upon literature by young people who have died before completing their twenty-fifth year. Should a very few more years be added to this limit, I should be able to add many other distinguished names to this list of literary young people, such as Shelley and Pollok already mentioned, for the former died when he was thirty, and the latter was but twenty-eight when he finished his "Course of Time."

Charles Wolfe was but thirty-two when he died and only twenty-eight when he wrote the dirge familiar to every schoolboy, "The Burial of Sir John Moore." Christopher Marlowe, who has been called "the greatest of Shakespeare's precursors in the drama," was only twenty-nine when he penned his last distich; while

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Francis Beaumont, one of the greatest dramatists who followed the "myriad-minded" bard of Stratford, was but thirty when he breathed his last.

But to mention the contributions to literature of those who died in their early youth is my intention in this article, and the name of Thomas Chatterton naturally comes first to mind, for he was one of the most famous as well as the youngest of all this band of adolescent poets. In fact he was, as Wordsworth called him, "a marvellous boy," for he was three months less than eighteen when, on the 25th of August, 1770, discouraged and hopeless, he put an end to his own life. His father had died three months before he was born, and he was brought up by his mother, who seems to have been almost the only person he ever truly loved. He sent her presents from London when he was almost starving himself, to lead her to suppose that he was getting on well and supporting himself comfortably. When he was eleven years old he wrote the following hymn, in praise of the Saviour:

"Almighty Framer of the skies,
O let our pure devotion rise
Like incense in Thy sight!
Wrapt in impenetrable shade,
The texture of our souls was made,
Till Thy command gave light.

"How shall we celebrate the day
When God appeared in mortal clay,
The mark of worldly scorn?
When the archangel's heavenly lays,
Attempted the Redeemer's praise,
And hailed Salvation's morn?

"A humble form the Godhead wore,
The pains of poverty He bore,
To gaudy pomp unknown.
Though in a human walk he trod,
Still was the man Almighty God,
In glory all His own."

Both in metre and religious sentiment, these verses remind us of Sir Walter Scott's lines on the setting sun, written when he was but eleven:

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"Those evening clouds, that setting ray
And beauteous tint serve to display
Their great Creator's praise.
Then let the short-lived thing called 'man,'
Whose life's comprised within a span,
To Him his homage raise."

But, to return to Thomas Chatterton, it seems very singular that a boy who could write such poetry should be esteemed a dunce. So it was, however, with young Chatterton, who was taken out of the first school he was sent to, because the master could do nothing with such a stupid pupil. Afterwards he was sent to another school, and there, too, he was considered very dull; but it is altogether probable, from what we know of him afterwards, that he was concealing all this time, under an appearance of stupidity, much hard work and careful study, for one great aim of his life seems to have been to hoax people, and he evidently began his tricks in his early teens.

He did not fulfil the promise of his first poem, but became reckless and dissipated; and in his later verses he shows none of the reverence for holy things indicated by the verses quoted. When he was twelve, he finished a long poem entitled "Elinoure and Juga," and when he was fifteen he began the wonderful series of impostures which for a time deceived the world. He pretended that he had found some old parchments of great literary value in a neglected chest, and these he would bring out from time to time as suited his convenience. At one time, when he was sixteen, a new bridge was finished at Bristol; he thereupon sent to a Bristol newspaper the account of the opening of the old bridge three hundred years before. This account the good people of Bristol solemnly accepted as gospel truth.

Again, he found a silly old man named Burgum, who made pewter dishes, and who was very desirous to have a long pedigree and a coat of arms; so young Chatterton went to work and made up heraldic honors to suit him, tracing his lineage back to an ancient Norman family, named De Bergham.

For theologians, he would invent ancient sermons; for wealthy citizens, he would write poems which he claimed were composed by their ancestors hundreds of years before; and, to antiquarians, he would send accounts of ancient buildings as they looked when first completed. One of his most daring forgeries was an account

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of the eminent "Carvellers and Peyncters" of Bristol, which he sent to Sir Horace Walpole, who was then writing a history of British painters. The pitcher went once too often to the well, however; for Walpole, though at first deceived, submitted the manuscripts to two good judges of ancient literature, who at once pronounced them forgeries. Nevertheless, they were all very cleverly done, and it was only an expert who would suspect that they were not genuine. Says Sir Walter Scott, he "created the person, history and language of an ancient poet," and this he justly calls "an herculean task."

Soon after he had passed his seventeenth birthday, Chatterton went to London to engage in a literary life, having high hopes and strong confidence in himself, declaring that "he would settle the nation before he had done." But he did not succeed as he hoped; he could hardly earn enough to keep body and soul together, and yet he was so proud that, when he had eaten nothing for three days, he would not accept his landlady's invitation to dinner. He had become an infidel, too, and had no religious comfort and hope. Thus poor young Chatterton, proud, haughty, conceited, and yet stung to the quick by his lack of immediate success, could find no way out of his troubles, except by a dose of arsenic. He was buried in a pauper's grave near London.

A favorite hymn found in almost all Protestant collections begins:

"When, marshalled on the nightly plain,
The glittering host bestuds the sky,
One star alone, of all the train,
Can fix the sinner's wandering eye.
Hark! hark! to God the chorus breaks,
From every host, from every gem;
But one alone the Saviour speaks,
It is the 'star of Bethlehem.'"

Its author, Henry Kirke White, may be reckoned as the youngest of all hymn-writers, for he died but a few days after attaining his majority. To be sure, Joseph Grigg, a lad only ten years old, is said to have written the familiar hymn beginning:

"Jesus! and shall it ever be
A mortal man ashamed of Thee?
Ashamed of Thee whom angels praise,
Whose glories shine through endless days!"

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Yet, with one exception, these were the only lines which he wrote that have lived; while White not only wrote a number of beautiful hymns which are found in nearly all the collections, but much other poetry of a high order. White's father was a butcher, who apprenticed his son to a stocking-weaver when he was only fourteen years old. The brilliant boy disliked the idea of "shining and folding up stockings for seven years," so he set out to be a scholar, quietly and by himself at first, but he made such remarkable progress that his friends exerted themselves to procure for him a university education; and very soon after entering he stood the first man of the year. When he was but seventeen he published a volume of poems of which the following, "To an Early Primrose," is a specimen:

"Mild offspring of a dark and sullen sire!
Whose modest form, so delicately fine,
Was nursed in whirling storms,
And cradled in the winds!

"Thee, when young Spring first questioned Winter's sway,
And bared the sturdy blusterer to the fight,
Thee, on this bank he threw,
To mark his victory.

"In this low vale, the promise of the year,
Serene, thou openest to the ruffling gale,
Unnoticed and alone,
Thy tender elegance.

"So virtue blooms, brought out amid the storms
Of chill adversity, in some lone walk of life
She rears her head,
Obscure and unobserved;

"While every bleaching breeze that on her blows,
Chastens her spotless purity of breast,
And hardens her to bear
Serene the ills of life."

Young White, like many another ambitious boy, was not strong and well-seasoned enough to carry out the commands of his vigorous brain, and he died, lamented by all his friends, in October, 1806, when just twenty-one years and two months old.

Some years afterwards, a young American, Mr. Francis Boot of

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Boston, placed a tablet to his memory in All Saints' Church in Cambridge, the inscription on which ended with these lines:

> . . . . . "Far o'er the Atlantic wave,
> A wanderer came, and sought a poet's grave.
> On yon low stone he saw his lonely name,
> And raised this fond memorial to his fame."

One of our young bards stands in the very forefront of English poets—John Keats. He was but twenty-five when he died. He was intended for a surgeon, but he soon found that his hand was not steady enough nor his health firm enough for that profession. When he was twenty-two, his first volume of poems was published, but it received very rough handling from the reviews.

Byron called his poems "the drivelling idiotism of the mannikin," though he afterwards praised Keats as strongly as he at first condemned him. Some writers say that these bitter criticisms dreadfully hurt the young poet's sensitive nature, and in part brought on the consumptive decline and hemorrhage of the lungs, from which he so early died. Byron refers to this idea when he says in "Don Juan":

> "'Tis strange the mind, that very fiery particle,
> Should let itself be snuffed out by an article."

Others say, however, that Keats regarded these assaults on his poetry only with contempt and indignation, and that they had no effect upon his health, that he came of a consumptive race and would have been early carried off by the family scourge had there been no hostile Croker to review his book.

In 1820, he set out for Rome with a faithful friend, hoping to regain his health, but it was too late, for on the 23rd of February, 1821, he passed away. Just before his death, he pathetically remarked that he "felt the daisies growing over him"; and he expressed a hope that, "after his death, he might be among the poets of England," a wish that has been most fully realized. He was buried in Rome, and on his tomb is the characteristic epitaph written by himself: "Here lies one whose name was writ in water." Evidently, he little dreamed of the esteem in which posterity would hold him.

Most of these young poets who achieved any distinction met

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with much hostile criticism and rasping opposition from older poets and book-reviewers, but it is also true that many of them found generous friends to champion their cause. Thus Chatterton, though not, to be sure, till long after his death, found a Campbell to say that "no English poet ever equalled him at that age"; and Keats, at the time he was receiving the bitterest criticism from the "Quarterly Review," did not want a Jeffrey to say in the "Edinburgh Review" that "his poems are flushed all over with the rich lights of fancy, and it is impossible to resist the intoxication of their sweetness, or to shut our hearts to the enchantments they so lavishly present."

Among all the older poets who gave kindly encouragement to the younger, none was more generous than Southey. He was among the first to appreciate the genius of Henry Kirke White, and he also introduced to the world another young poet, Herbert Knowles by name, who died when he was but eighteen, only one year older than Chatterton. As we quote a few lines from one of his poems, let us remember that a boy of eighteen wrote them. The poem is founded on the fourth verse of the seventeenth chapter of Matthew, where the bewildered Peter says to the Saviour on the Mount of Transfiguration, "Let us make here three tabernacles":

"Methinks it is good to be here,
If thou wilt let us build—but for whom?
Nor Elias nor Moses appear;
But the shadows of eve that encompass the gloom,
The abode of the dead and the place of the tomb.

"Shall we build to Ambition? Ah, no!
Affrighted, he shrinketh away;
For see, they would pin him below
In a small narrow cave, and, begirt with cold clay,
To the meanest of reptiles a peer and a prey.

"To Riches? Alas! 'tis in vain;
Who hid, in their turns have been hid;
The treasures are squandered again;
And here in the grave are all metals forbid,
But the tinsel that shines on the dark coffin-lid."

Thus, through many stanzas, he pursues his inquiry, shall we build to Beauty, to Pride, to Mirth, to Sorrow? and thus the poem ends:

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"The first tabernacle to Hope we will build,
And look for the sleepers around us to rise!
The second to Faith, which insures it fulfilled;
And the third to the Lamb of the great sacrifice;
He bequeathed us them both when he rose to the skies."

Another youthful poet who deserves mention died in the year 1800, when he was twenty-four. His name was Richard Gall, and he wrote some very pleasing Scotch songs, which were extremely popular in their day. The following, "My only Jo and Dearie, O," with its light and tripping metre, is one of the best:

"Thy cheek is o' the roses' hue,
My only Jo and dearie, O;
Thy neck is like the siller-dew
Upon the banks so briery, O!
Thy teeth are o' the ivory,
O, sweet's the twinkle o' thine ee!
Nae joy, nae pleasure blinks on me,
My only Jo and dearie, O.

"When we were bairnies on yon brae,
And youth was blinking bonny, O,
Aft we wad daff, the lee-lang day,
Our joys fu' sweet and mony, O;
Aft I would chase thee o'er the lea,
And round about the thorny tree,
Or pu' the wild-flowers a' for thee,
My only Jo and dearie, O.

"I hae a wish I canna tine,
'Mang a' the cares that grieve me, O;
I wish thou wert forever mine,
And never mair to leave me, O;
Nor ither worldly care wad hae,
Till life's warm stream forgot to play,
My only Jo and dearie, O."

Another Scotch poet who died when he was but twenty-three was Robert Nicoll. He was a political writer as well as a poet, and struck vigorous blows in the paper which he edited at Leeds for justice and liberty. The following manly verses, "We are Brethren A'," tell us, not only of his poetical gift, but of the sturdy opinions of human equality and brotherhood which he advocated bravely during his short life:

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"A happy bit hame this auld world would be,
If men when they're here could make shift to agree,
And ilk said to his neighbor in cottage and ha',
'Come, gie me your hand—we are brethren a'!'

"I ken na why ane wi' anither should fight,
When to 'gree would make a' body cosie and right,
When man meets wi man, 'tis the best way ava,
To say: 'Gie me your hand—we are brethren a'!'

"My coat is a coarse ane, an' yours may be fine,
An' I maun drink water, while you may drink wine,
But we baith hae a leal heart unspotted to shaw;
Sae gie me your hand—we are brethren a'!

"The knave ye wad scorn, the unfaithfu' deride;
Ye would stand like a rock wi' the truth on your side;
Sae would I, an' naught else would I value a straw;
Then gie me your hand—we are brethren a'.

"We love the same summer day, sunny an' fair,
Hame? Oh, how we love it, an' a' that are there!
Frae the pure air of heaven the same life we draw;
Come, gie me your hand—we are brethren a'.

"Frail, shakin' auld age will soon come o'er baith,
An' creeping along at his back will be death;
Syne into the same mither-yird we will fa':
Come, gie me your hand—we are brethren a'."

The only poet of much promise whom we find in the annals of English literature, within the last sixty years, who has died under the age of twenty-five, is David Gray, who was but twenty-three when he breathed his last. The story of his death is very pathetic. He was intensely ambitious, and started out with high hopes of gaining a great name. He was amiable, pure and upright, and made many friends who were glad to help him. But they could not ward off the approaches of consumption, and little by little he yielded to its attack. His first book of poems was in press, and it was his ardent desire to see it before he died. To please him, the first page which had been put in type was brought to him. It gratified him greatly, and he expressed himself as willing to die. The day after he had received the first proof sheet, the earthly life of this young poet came to an end. I will quote some lines,

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"If it must be that I die young," that seem prophetic in view of his early death:

"If it must be, if it must be, O God!
That I die young and make no further moans;
That, underneath the unrespective sod,
In unescutcheoned privacy, my bones
Shall crumble soon—then give me strength to bear
The last convulsive throe of too sweet breath!
I tremble, from the edge of life, to dare
The dark and fatal leap, having no faith,
No glorious yearning for the Apocalypse;
But, like a child that in the nighttime cries
For light, I cry; forgetting the eclipse
Of knowledge and our human destinies.
O peevish and uncertain soul, obey
The law of life in patience till the day!"

The last half-century has been singularly barren in the production of young poets, or at least of poets who have died young. Whether it is that the divine afflatus is not bestowed as early as formerly, or that the modern poet takes better care of himself than his brother of the olden time, and, living to a good old age, eclipses the work of his boyhood by the superior merit of his later productions, we will not undertake to decide.

This article does not pretend to be an exhaustive account of youthful poets. If we should enlarge its self-imposed limits to include poems written by the young men and women who afterwards lived to middle life or old age, we should find it a most interesting story, but too vast for the moderate proportions of a REVIEW article. Many of our greatest bards have "lisped in numbers, because the numbers came." Neither have we attempted to trace the poetic flights of many obscure poets whose early swan-song has been heard by an admiring group of personal friends and relations, but not by the world at large. The poets' corners of country newspapers undoubtedly entomb a multitude of youthful but not inglorious Miltons; and, very likely, every reader would like to add one more adolescent bard to this list, but it is already long enough to make clear one or two points that will strike most readers with surprise. One is the serious cast of the youthful mind. Scarcely anything that is humorous, comparatively little that is heroic, almost nothing that is tragic do we

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find in their writings, but largely their works consist of descriptions of natural scenes, or praise of abstract virtues, or the amplification of the religious impressions they had gained at their mothers' knees. Even light and tripping love-songs, which you would expect from them, they have largely left to their elders. The supposed sparkle and effervescence of young life are usually absent, and the shadow of the Unseen seems to be all about them. Perhaps this may be attributed in part to their early decline in health. Many of them had already entered the Valley of the Shadow, and their poems reflected the seriousness of ill-health and approaching death.

But not in this way alone can this characteristic of youthful poets be accounted for. There is a vein of earnest purpose running through most young lives, and those who have the poet's gift of expression simply speak for the race of youth, or, rather, the youth of the race. The boy often lacks the sense of humor which the man develops. He has not perhaps found out how necessary it is in rounding off the sharp corners of life. The young man or woman is seldom a wit. That gift, if it comes at all, is a development of later years. Our brilliant after-dinner speakers have, for the most part, left their 'teens far behind them. The "boy orator" is usually serious, earnest, strenuous. The boy poet is not different.

The strong religious cast of the youthful poet's mind is also very noticeable. The heaven that lies around his infancy is still his poetic vision. He has not learned the raillery and the cynicism which often give an unholy spice to the work of his older comrade.

N. P. Willis, when asked in his later life to write a poem for a religious occasion, sadly replied that he could not do it; that such efforts belonged to his youth and were not the gift of his later and lesser years. The annals of poetry, as well as of war and business and scholarship and statesmanship, teach us that not in vain will the world look to its youth for leadership in all things strong and heroic; that, however old age may deteriorate and trifle, the young man who has leadership in his veins can be counted on for high purpose and strenuous endeavor.

FRANCIS E. CLARK.

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THE UNITED STATES A PARSIMONIOUS EMPLOYER

BY THOMAS L. JAMES, FORMERLY POSTMASTER-GENERAL OF THE UNITED STATES.

THE world knows us as a great nation—great, not only in diplomacy, in military and naval prestige, but in the wealth that has accrued to us from commerce and industry. Indeed, our material progress has far outstripped that of any other people. We have accumulated riches to such an extent that our citizens of all classes enjoy more of the comforts, even the luxuries, of life than the residents of any other country. Needless is it to discuss the wages received by the humblest laborer in contrast to what the employers of the Old World pay for the same work, nor to detail the salaries which men of ability not only receive, but are enabled to command, in positions of trust. We can safely say that there has never been a time in the history of the United States when the employer realized the monetary value of service more than at the present day. If a man brings results to the factory-owner, the merchant or the railroad company, that make his time and effort worth $10,000 or $20,000 or $50,000 a year, he gets it, just as the attorney who wins the lawsuit, or the surgeon who performs the operation, receives a fee in proportion to his professional reputation and the skill required. As a business or industry expands and prospers, those who have most materially aided in its prosperity are paid accordingly—not as a benefaction, but from purely business motives.

This is what we do as individuals and corporations. As a people, we do otherwise. The United States, as a nation, recompenses those who serve it with sums that are but a fraction of what the representatives of much smaller countries receive for similar services. Even the President, who may be termed the people's

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business manager, is obliged to be satisfied with a smaller salary than that paid to the heads of some minor European countries; yet, no man in America, probably in the world, fills an office of such responsibility. I might mention a score of Americans in private life who draw from 25 to 50 per cent. more money annually for effort that is less arduous. But the same argument applies when we analyze the duties of the Cabinet officers, of the Federal judiciary, of the chiefs of department bureaus and of the consular service. While in private life we are the world's most generous employers, as a nation we are among the most penurious in the treatment of our public servants.

In the admirable history of American diplomacy written by Professor John Bassett Moore, twice Assistant Secretary of State at Washington, there is reference to an opinion once expressed by Hamilton Fish, who was Secretary of State during the administration of President Grant. Professor Moore, in speaking of the American diplomatic service, says that Secretary Fish was firmly of the opinion that the grade of the missions from the United States to the chief commercial nations of the world should be raised from that of Minister Plenipotentiary and Envoy Extraordinary to that of Ambassador. Secretary Fish, however, did not feel justified in taking any action that would bring about this change, and he gave as his sole reason for his reluctance to urge the matter that he was satisfied Congress would not increase the salary to the amount which an Ambassador, the personal representative of the President, should receive. The grade has been advanced since Secretary Fish's day, so that the missions of Great Britain, Russia, Germany, France, Italy, Mexico, Austria-Hungary and Brazil are now represented by Ambassadors at Washington, while the United States and the President are represented by those who have been received as Ambassadors in these various countries. But Congress did not increase the salaries, and to-day it is imperative that a rich man shall be named as Ambassador to any of these nations, if he is to live in a manner in keeping with the office, even though he spends only what is actually necessary. Furthermore, it is an open secret that one of the qualifications for Ambassadorial service—not in every instance, but in some—has been a generous contribution to partisan campaign funds—the honor of holding the post tempting wealthy men of ambition.

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I recall that one of my associates in the Cabinet of General Garfield—the Honorable Robert T. Lincoln, who served as Minister to the Court of St. James's, the last to represent us at that Court with the rank of Minister—found, after his four years' term, that his total expenses were just twice the amount of his salary, and he had, therefore, been compelled to draw upon his private purse and his business for an amount exactly equal to the salary he received from the Federal Government. Mr. Lincoln led a life of simplicity. He entertained only when necessary as became his official station, but not lavishly; and this charge upon his private purse represented chiefly official work done in connection with his ministerial responsibilities. I believe many will agree with me that it was a charge which should have been paid by the United States; and it is in no sense an answer to this statement that the minister was paid in part by the honor conferred upon him by that appointment. I have known of several cases where men distinguished for ability have been compelled to resign office and return home, not daring to face serious inroads into their modest fortune which longer public and diplomatic service would entail.

The European nations—even those which have no such wealth or capacity to pay sufficient salaries as may be compared with that of the United States—always recognize the dignity and the responsibility which the high diplomatic posts involve. Therefore, Great Britain pays her Ambassador to the United States a sum almost equal to that received by the President of the United States. In addition, he is provided with a house and accessories worthy of the dignity of Great Britain, and, furthermore, a sufficient allowance is granted him for entertainment. Many persons may look upon an allowance of that kind as unworthy the simplicity of a Democratic-Republican form of government, but not any who have served in important diplomatic capacity, for it is well known to them that the most important of the negotiations, the most delicate questions of state, are often brought to a satisfactory conclusion at what appear to be merely private and personal entertainments. These are charges which cannot be set forth in detail or entered up in *minutiae;* but they are involved in responsibilities, exacting and inexorable, which every diplomatic representative of the United States to the higher Courts must accept, if he is to succeed at all in his work.

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The consular service has been greatly improved and has aided much in the development of American commerce, through the inauguration under Mr. Evarts, when Secretary of State, of a system of consular reports. This service has been considerably extended recently, so that what were once monthly reports are now published daily. I do not hesitate to say that the information gathered, the labor which it involves, the experience and good judgment which are required, would be rewarded, in the case of representatives if they were of a commercial house or a great corporation, by salaries far in excess of those which the United States consuls receive. It is well enough to talk about establishing the consular service upon a civil service basis; but the first step, it seems to me, in the direction of securing competent, permanent service, is the payment of salaries that will be adequate for the work required. We shall then eliminate from the consular service the method which has characterized appointments heretofore, for competent business men, young men having high ambition and looking for a career, will be appointed, instead of political favorites or men who have political influence. The wonder is that our consular service has done as well as it has done. I am certain that, if there were a readjustment of salaries, an adequate compensation, with the certainty that the vocation would be a life one, and promotion in recognition of merit, American consuls the world over would do a great work in extending American commerce. Our consuls and consular agents have it in their power greatly to develop our export trade, and, indeed, they have done much in that way.

I have gone into some detail in referring to the consular service, since upon it depends much of our prestige with other nations. I need not dwell upon the vital importance of these men, as they stand for the dignity of the nation and are expected to maintain themselves in a manner befitting its dignity. It is with regret and humiliation that I have alluded to the inadequacy of their compensation; but take the Federal judiciary and the argument applies with equal force. I need cite but two or three instances with which I am personally familiar. An eminent jurist, for many years regarded as the foremost United States Circuit judge west of the Alleghenies and without a superior upon the bench of the United States, was at last brought face to face with a decision which he felt his responsi-

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bilities to his family compelled him to make. That, too, can be said of another distinguished lawyer who occupied the bench as Federal Judge of the Southern District of New York. Each of these judges received a salary far beneath his earning power as a lawyer. Both of them probably would have chosen to remain upon the bench had they not discovered that they were constantly running behind. The salary of the Circuit Judge, if my recollection is correct, was $6,000, and that of the District Judge was $4,500. The former did resign with great regret. His learning and his natural bent of mind preeminently fitted him for a place upon the bench, and his decisions to-day stand as models of exposition of the law. In a single year after the Circuit Judge retired from the bench, his earnings as a practising lawyer were, I have been told, in excess of the aggregate salaries he received during his entire term as United States Judge. The District Judge, too, may now contemplate a sufficiency for his family and those others who are dependent upon him. These are random illustrations; but to my mind they afford ample proof that the United States does not begin to pay its judges the salaries which they should receive. Great Britain may be regarded as paying excessive salaries; but Great Britain always has a bench that commands the respect and confidence of the English-speaking people the world over, and, moreover, pays these public officers salaries sufficient to ensure, not only a manner of living that is in accord with their high office, but also suitable provision for their families.

Another factor which should be considered in this discussion is the inroads made on the salary of the officer under bond by payment of annual premiums. I remember one case of a very competent United States Treasurer. He had been promoted from one of the minor clerkships because of merit, until at last he was nominated by the President for the office of Treasurer of the United States. The salary was $6,000. The United States exacted a very large bond. The Treasurer, after a few years' service, perceived that in justice to his family he would be unable to retain office, and, therefore, resigned. I may say that the United States exacts bonds, with sureties, that are, probably, unmatched by the requirements of any financial corporation. The Postmaster at New York is compelled to give a bond of $600,000, with sureties for double that amount. The

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Assistant Treasurer of the United States at New York, whose salary is only $8,000, is now compelled to give a like bond. Both of these officers are responsible for the large amounts of money that pass through their offices. The finances of the Post Office at New York equal those of many of the greater banks of New York; yet, the Government pays only $8,000 a year salary. Recently, when there was a vacancy in that Post Office, several very rich men were willing to accept the office, probably because they thought it was in the line of political preferment; but it was with great difficulty that President Roosevelt at last found a competent business man, who was not very rich, who would accept the office; and I am safe in saying that the same energy, the same experience and business capacity which are necessary for the satisfactory direction of the New York Post Office would, in any other employment, bring a salary from three to four times as much as the Postmaster at New York receives.

Ex-Senator Warner Miller, who was a personal friend of the late President Benjamin Harrison, once informed me that General Harrison had been compelled, after leaving the Presidency, to go to work in order to provide for his family, and he added that General Harrison had saved more in the year that followed his retirement from the Presidency than he had been able to save in the four years of his incumbency. Think of a man who has been the head of one of the world's richest nations, retiring from its service with practically nothing saved from his salary—so small that he must expend it all in outlays absolutely necessary to maintain the position with befitting dignity; but General Harrison is not an isolated instance by any means. James Monroe, after retiring from the Presidency, was compelled to sell his library for want of money and go to work in order actually to exist.

I have long felt that Congress, first of all, should seriously consider, and at last readjust, the salaries paid to the President, the Vice-President and the Cabinet Officers. The President of the United States should receive not a cent less than $100,000 a year, and a retiring pension of not less than $25,000 during life on condition that he does not engage in any secular business, thus preserving the dignity of his position.

I have heard it said that since Cleveland's day almost every Cabinet Officer has been a man either of great wealth or possessed

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of sufficient income. There are one or two exceptions to that statement. I have personal knowledge of one of the most efficient Cabinet Officers who ever served at the head of a department at Washington, who was compelled to resign in the midst of most important work, because he realized that if he stayed longer in Washington practical bankruptcy would be his lot. I have always felt that the United States is niggardly in its payment to the Secretary of the Treasury. It is one of the proudest of American traditions that, notwithstanding the enormous opportunities that are at the hand of a Secretary of the Treasury, especially since the Civil War, not one has ever been tainted with the suspicion of a misuse of his opportunity or his responsibilities. Some have retired poor. Mr. Carlisle came to New York, after a four years' service as Secretary of the Treasury, absolutely dependent upon the practice of his profession, and not succeeding until some of his personal friends had made efforts to secure clients for him. Mr. Windom, who was twice Secretary of the Treasury and died in office, and who accomplished one of the traditionally great achievements of that office in his refunding action in the summer of 1881, was compelled to enter active business after he had retired from General Garfield's Cabinet. Governor Foster, who was Windom's successor as Secretary of the Treasury, held the position during the period of the "gold stringency." I have proof that he was aware what the straits of the Federal Government were soon to be with regard to gold, and that he could have profited by that knowledge had he been so disposed. Nevertheless, as the world now knows, he was administering this great office when his private affairs were really upon the verge of bankruptcy.

President Roosevelt could not have successfully called Elihu Root to his official family, had Mr. Root not, by brilliant successes and a life of intense professional industry, accumulated an income upon which he will chiefly rely while he is serving as Secretary of State. I have long thought that it is all wrong for the Government and for Congress to act upon the assumption that a man competent to fill an office, and whose service will be of the greatest value to his country, should be expected to make inroads upon his private fortune in order to sustain the dignity and meet the expenses of his official life. Yet, we apparently take it as a matter of course that a man should be

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willing to serve his country as a Cabinet Officer—a position requiring so much time and attention that he cannot engage in his individual business or profession. We expect he will not only perform its duties, but reside in Washington, entertain at the requisite functions and cheerfully make up any deficit beyond his salary out of his private income, in addition to giving up a revenue from other pursuits which, in the case of some of the present officials, is three or four times the allowance they get for the honor of holding the portfolio. It speaks well for the patriotism of our men of mark that so many of them have been willing to accept the office—at such a monetary loss to themselves.

The other day, the Secretary of Agriculture, Mr. Wilson, published a statement showing that the value of the farm and forest products of the United States for the year 1905 was considerably in excess of six thousand million dollars. He showed with what great rapidity the value of the farms themselves is increasing. The wealth of the United States has been doubling in almost geometrical progression; but I do not discover that the United States itself, notwithstanding this increase in its resources and wealth, has in a general way increased the salaries of its public officials. If there have been increases, they have been too trivial and, where made, so exceptional as to attract notice. Meanwhile, the standards of living are greatly increasing; and a moderate salary, which a few years ago would have been abundant, is now barely sufficient decently to provide a man and his family with the necessaries of life.

The workman is worthy of his hire; and, if it be sound economy that the prevailing rate of wages or salaries should be paid, it is as sound economy for the United States as it is for corporations or for any employers. I have no patience with the theory that a man should be expected to give up his energy, time, skill and ability to the United States Government for less money on the whole than he would receive if he were employed by a corporation or by private individuals. Sometimes the Government finds that it is impossible to get high-grade men without high-grade pay. President Roosevelt and Congress made that discovery when the composition of the Panama Canal Commission was under discussion. Great engineers, even for so stupendous a work as the Panama Canal, will not give their services

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to the Federal Government for one-tenth the pay which they would receive from a corporation for the same service. Therefore, the President was authorized to fix the salaries for the experts and the engineers to whom was commissioned the work of building the Panama Canal.

I sincerely trust that an agitation will begin speedily for Congressional action, looking to a careful and impartial readjustment of the entire salary list of the officials of the United States Government; and I am certain that Congressmen will find no enlightened or impartial constituent who will not approve reasonable legislation of this kind—legislation that is the result of thorough investigation.

THOMAS L. JAMES.

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ELECTORAL CORRUPTION IN ENGLAND IN THE OLD DAYS.*

BY ARTHUR POTTOW.

THE distinctly national effort, which the past year has developed, to lift American politics into a higher plane, and more especially the fierce resentment which has permeated the body politic at apprehended or supposed attempts in the ballot-room to prevent the free-will of the people being converted into law, render it opportune at the present time to help forward the creation of a public opinion which shall force to the fore the far more important necessity of preventing the consciences of the voters being influenced by corruption and bribery before they get into the ballot-room. I use the term "creation of public opinion" advisedly, because I attach the utmost importance to it. So long as only one or two, here and there, see any moral turpitude in the open, wholesale and flagrant buying of voters for cold cash, and scarcely condescend to notice except as a peccadillo, or evidence of a somewhat benevolent disposition, the more subtle form of corruption by treating, through the medium of summer outings, club-barbecues and clam-bakes, there will be no legislative effort with power enough behind it to be converted into operative law. It is the power of public opinion which makes a law either efficient or a dead letter.

Public opinion is the necessary antecedent fulcrum to be used in starting the several States' legislatures on the right road towards enacting laws; and, if strong enough, it will be capable of enforcing even the unwritten law, "Thou shalt not debauch thy neighbor's politics." Indeed, the code of honor which public opinion is capable of compelling men to live up to is higher

* Lest the generic term "England" be taken in its usual popular sense as including Scotland, the writer desires to put on record the fact that Scotland had no part in the corruption described.

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than that of any law, however stringent. For, whatever the law may be, there will be, in the absence of public opinion, those who will exercise all the ingenuity of their minds to circumvent it; and, if they can avoid its penalties, they will feel no repugnance in defeating its plain intention. On the other hand, it may be said, as illustrating the power of public opinion, that there does not live the man of any social importance in England who would bribe a jockey or refuse to pay his racing debts, although these cannot be recovered at law. For, over that subject, there sits enshrouded at Newmarket, in the impenetrable seclusion of a modest, gray stone temple, that parliament of the turf, "The Stewards of the Jockey Club" who exercise a power no monarch ever wielded. It is unique, for it is based on moral force alone: there is nothing but voluntary public opinion to enforce it. Yet, if once the mysterious handwriting on the wall has gone forth, if once the magic words, "Warned off the Heath," are written, he who is thus warned becomes a social leper, more shunned than if branded by the most stringent penalties of the temporal arm. We must not relax our efforts until, in every constituency, there is a public opinion just as powerful against political corruption, under whatever cloak it shall disguise itself, whose social-salvation decree shall be, "Thou shalt not debauch thy neighbor's politics."

"But this is Utopian," I hear my readers say. "No such condition can be brought into politics this side of eternity." To which I reply, Not so! It has been done in England. That country was sunk in depths of corrupt degradation unthinkably beyond the worst that exists in America, heinous, widespread and omnipotent as we are apt to think that is; and England has, through public opinion as expressed in law, and its accompanying code of honor, risen out of the slough of all the coarser forms of personal bribery, treating and undue influence.

It took two hundred years to accomplish this revolution in political ethics, from the first Act of Parliament aimed at corruption in the reign of William III in 1695, until the last nail was driven into the coffin of the offensive carcase in 1883. Some of the provisions of the act passed in the latter year were quoted in the admirable article by Mr. Perry Belmont in this REVIEW in February, 1905, "Publicity of Election Expenditure." I shall later on refer to others.

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It may not be amiss, indeed, it may do much good, in putting strength and backbone into the various movements recently so encouragingly started in various parts of the Union for the purpose of promoting political purity, to recall some of the conditions which actually existed in England, and to recapitulate some of the stages of the fight which went on there, often under worse discouragement than exists in America to-day. At any rate, it will turn the edge of the argument of the doubting Thomases whose most effective weapon is *Non possumus*. For what has been done, can be done: and the battle is half won already, for we have not to fight open official vote-buying and corruption in the highest places, using all the power of the public credit, purse and patronage, corruptly and viciously, for the purpose of crushing popular aspirations for political rights, as was the case for generations in England. We have our political rights secured by an iron-clad Constitution. Then, again, not only were the voters sunk in a venality which brought them money values, but Members of Parliament elected by them were bought and sold in the same outrageous and shameless manner. No such conditions exist among us, or ever did. Even then, however, it was politic that the words of the King and his Minister should be those of righteous indignation at the political corruption of the people, but their acts were those of the lowest borough-mongers that ever manipulated a rotten constituency. For instance, as late as the General Election of 1761, the then young King (George III) expressed a hope that no money (that is, no money out of the Government funds) would be spent in procuring the return of Members of Parliament favorable to the Government. "I wish to be tried by my country," he said; and no money was so issued, but "corruption stood on its own legs, and venality was grosser than ever." Yet, when the King had got his Parliament together, under Bute, the means employed by him in getting measures passed by Members, themselves elected corruptly, were so infamous, wholesale, unprecedented and scandalous as to make the worst period of the corruption of Sir Robert Walpole, who boasted that every man had his price, seem innocent.

We have got a good many tasks to perform before we attain political purity, but, thank God! we have not got to correct such abuses as shocked few of the contemporaries of George III.

Our principal difficulty is with party-bosses, irresponsible clubs

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and individual voters, and even their practices are sweetness and light, and their power unintrenched, as compared with those which flourished, unchecked, for hundreds of years in England. And this, notwithstanding the existence all the time on the statute-books of a law passed in 1695, which enacted that:

> "*No person to be elected* shall directly or indirectly give, or allow, to any voter any money, meat, drink, entertainment or provision, or make any promise or engagement to give or allow any money to such voter, in order to be elected, on pain of being disabled to serve in Parliament for such place in such election."

Of course, the fatal defect of this provision was that it was directed solely against the acts of the "*person to be elected,*" and made no provision against any other person doing on his behalf the things forbidden to him. It might well remain innocuous, as it did, until it was repealed in 1854, a century and a half after its enactment.

In the mean time, corruption stalked the land "naked and not ashamed." I do not, of course, personally remember the period which preceded the passing of the Reform Bill of 1832, but I have heard my father tell, many a time, of the days when every voter took his bribe and lived and ate and drank and smoked and rollicked at the candidate's expense, during all the fourteen days over which an election lasted, or as many of them as would enable them to poll one vote every hour; and they eked their votes out, one by one, grudgingly down to the dregs, even as they drank their borough-mongers' wine to the uttermost drop; and then, when that gave out, if they had not voted, they passed over to the Opposition and drank them dry. This is exactly what they did in the Northampton Election of 1768, when three castles in the neighborhood kept open house for the election fortnight. When the wool-combers, weavers and shoemakers who had the precious votes had drained all the old port at one of the castles, their host had no recourse but to place before them claret, when they one and all declared "they would never vote for a man who gave them sour port," and went over in a body to one of the rival castles. That election has come down the lines of tradition and history as "the spendthrift Election." It was unusually prolonged and the canvassing began long before the fourteen days' polling. The real contest was not between the nominal candidates, but between their respective sponsors, who had en-

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tered into the tourney "to win or efface themselves." It cost one sponsor on behalf of his nominee in modern values $1,000,000, and the two opponents for their nominees $1,500,000 each, while the total number of electors was under 1,000. It ruined one of the sponsors, and another had to cut down his ancestral trees, sell the furniture of his castle, and become an exile from poverty in Switzerland, where he died. But the sequel is even more remarkable. The election was contested because the number of votes polled exceeded by 288 the number of qualified electors, *not* because there was corruption! Oh dear, no! perish the thought! During the hearing of the evidence, sixty covers a day were set at the London residence of one of the interested noblemen for the Members of Parliament who were hearing the controversy and scrutinizing the votes, and the name of every guest was taken down. In the end, the votes were found to be equal. Thereupon, the dispute was referred to the arbitrament of chance and decided by the toss of a penny. The nobleman who won the toss nominated as member a man out in India. Let us hope that the penny with which he tossed had not been *cogged*.

I could multiply instances of this nature into volumes. Suffice it to quote a few, of which "Grampound and rascality" may well be one, for that was the appropriate inscription for its banners. Grampound was a Cornish borough with forty-two voters. They were mostly purchased by a peer who resided in the neighborhood, and who would not take the trouble to announce even the name of his nominee until the morning of the election. Once in a way they would sell themselves out of his hands, if his price was not satisfactory; and once they boasted they had received thereby $1,650 each in cash for their votes.

Old Sarum's case is historic. It returned two members to Parliament and was then, as now, only a wheat-field, as any visitor to Stonehenge may see in passing. Its owner would, the day before election, create seven freeholders, and the next day they would reconvey their titles. That was a very cheap process. It cost more to a Cumberland family to get two members elected for a certain constituency; for they had to let their voters live house free and pension them all the year round on $2.50 a week, for voting as they were required.

Even the municipal corporations of the ante-reform days, themselves hot-beds of graft of the most flagrant nature, entered into

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this riot of political dissipation to secure the control and sell the Parliamentary representation of their boroughs, if it so happened there was no patron whom they could bleed; and they squandered the property of the citizens in expenses attendant on Parliamentary elections until 1832, when they were estopped by statute.

Now, let me close these brief notes of this unspeakably rotten period by citing the instance of the Borough of Gratton, in Surrey, in which a prominent "gentleman" avoided all possible trouble by buying the whole borough and appointing himself collector of taxes, church-warden, overseer, surveyor of the highways and returning officer of elections. Then he proposed himself as its representative in Parliament, approved himself, elected himself, and invited himself to a dinner to celebrate his return. And nobody as much as laughed at the travesty, or resented it, so debased was the public conscience of the time!

There was method in this madness, too; for the sale of seats in the House of Commons became so regular and systematic that in many instances the candidates could not pay the purchase-money down, but commuted it into an annual charge, which naturally they got back again by selling their support to the Government, or to the Opposition—but mostly, of course, to the Government, for that was where the money was. And so the vicious circle was completed and perpetuated, until the awakened public conscience rebelled.

When the Government could not effect its object by these means, it did not hesitate to abuse its powers of patronage to a degree never dreamed of in the wildest schemes of the worst of American politicians of to-day, especially Federal politicians; for, in 1782, Lord Rockingham stated on authority that in seventy boroughs the elections were carried by revenue officers "purposely appointed by the Government," and that he knew one borough in which 125 out of 500 electors had obtained revenue appointments for that corrupt purpose through the influence of one person. No such an utter disregard of decencies, or such a moral obtuseness, exists, or is conceivable to-day—in the worst instances quotable in America. Yet England has emerged even from this cesspool of vileness, and therein is hope and comfort.

If any readers, who in the course of time are likely to be in London, want to see these election scenes depicted as they existed

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in fact before the eyes of that great social satirist and scathing artist, Hogarth, I would commend to them his four pictures, "An Election Feast," "Canvassing," "Polling," and "Chairing," which will be found in that seldom visited, but invaluable, collection, the "Sir John Soane Museum." They are worth volumes of biographical memoranda.

The first sign of awakening, but not fully awakened, conscience against this system was that given by an act passed in 1728, which authorized any two electors to demand that a voter presenting himself to vote might be called upon to swear that "I, *A. B.*, do swear that I have not received or had, by myself, or any person in trust for me, any benefit, *directly or indirectly,* any sum of money, or any promise of employment, gift or reward or promise of security for money, in order to give my vote at this election." It was the entering wedge, because it, for the first time, recognized the *indirect* channel.

The next step forward was the passing, for the first time, of a *penal* enactment, passed, it is true, in the most corrupt of legislatures, that of George III, but well up in his reign, in 1809. Although, in many places, it remained a mere pious expression, it did indicate a movement in the valley of dry bones, for the receiver, as well as the giver, was recognized as equally guilty. It enacted that "every person *directly or indirectly giving,* or promising, or agreeing to give, any money [etc., etc., in the old phraseology] to procure the election of a Member of Parliament, shall forfeit $5,000, and the person receiving the gift shall forfeit $2,500."

By a slow procession of Acts of Parliament, these pious expressions were extended; but there could be little hope of effectiveness while the committee to inquire into electoral expenses was made up of members of the House, themselves frequently elected by tactics even more unlawful, and so the legislative mill ground legal sawdust through many sessions.

The first real blows at the corrupt old system of personal bribery, corruption and treating came in 1872 from two directions. In the first place, the more drastic laws which had gradually curbed the personal treating of voters in Parliamentary elections, were extended to municipal and ward elections. Years after decisions of the courts in Parliamentary elections had unseated Members of Parliament for corruption, the old practices

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had been removed from the Parliamentary elections, which might possibly occur only once in seven years, to the municipal elections which occurred every year, and at these all the old-time forms of free dinners, free drinks, free smokes, and every other kind of improper influence ran riot. Every voter went, both before and after voting, to the dining-room of the candidate he had supported, and had his fill. In fact, I have known contests provoked on the approach of a Parliamentary election in every ward in a borough, for no other purpose than to keep the boys together by a lawful expenditure in every ward in the borough, which, if made in connection with a Parliamentary election, would have unseated the members. The Act of 1872 extended the provisions of the Corrupt Practices Acts to municipal elections, and out went the lights.

The other crushing blow, or what was apparently so, came in the same year (1872), when the first secret-ballot voting was enacted: a law most pregnant with hopes, inasmuch as it was expected that nobody would expend money when it was impossible to see the goods delivered—in other words, when the voter could fool candidates and friends, by taking their favors and secretly voting for the other side. The Ballot Act scotched the serpent of the corrupting power of money, but it did not kill it. If money could not now surely buy the individual, it could at least, by opening its floodgates in indiscriminate lawful expenditure, create such an influence as to practically corrupt the whole constituency. If you could not pay the voter, you could employ, as messengers, to carry one letter apiece in a week, his three young nephews or his pauper-disfranchised father. If you could not buy beer, you could have meeting after meeting in every public-house in the borough, at rents for rooms which enabled the landlords to be very generous in credit to men who were favorable to you. If you could not promise a revenue officer's place, you could have a suite of rooms for a committee, which seldom wore out the carpets, but paid a rent equivalent to a year's occupation of the whole house. If you could not pay the compositors to vote for you, you could be sure, lawfully, to have them all consider you the prince of good-fellows by arranging that all your literature, and tons of it, should go into the printer's at such an hour of the afternoon that every mother's son on the staff had *double pay for overtime* for a month. And

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oh! the pressure of it: the letters the poor election agent got, the pleadings, the bullyings, the robberies he had to submit to, with his eyes open, and I was the election agent on several occasions. The very thought of these days makes me shudder, yet be thankful that at least they are over forever and ever.

The end came through the law of 1883, and ever-blessed let me call that law. For, under its beneficent powers, the knife of the public prosecutor cut deep down into the very roots of the political ulcer, and the scandal which originated in the lax morality of the Court of King Charles II, and had in the two hundred years of its orgy permeated the very vitals of the body politic, ended its pestiferous life. All previous legislation had been half-hearted, ambiguous or narrow; the drag-net of Sir Henry James caught the whole breed of corruptionists and its provisions left no loophole but cessation or the gaol. If for no other reason, it would mark a new era, inasmuch as for the first time it brought under discipline political clubs and associations; but it has many other claims to everlasting gratitude.

It may assist in suggesting some points to our present-day reformers, and I make no apology for summarizing some of its most novel and drastic provisions. It starts by defining bribery and treating, and extending these offences to periods *before,* during or after any election, and in making the receiver as well as the giver guilty of a corrupt practice, punishable by one year's imprisonment or $1,000 fine. It makes the aider, abetter, counseller and procurer of personation as guilty of felony as the personator, punishable by a term of two years' imprisonment with hard labor. Its next blows are at long-established abuses, never before unlawful. It makes it an illegal practice, punishable by $500 fine on summary conviction, to hold any committee in public-houses or saloons; or to pay for the use of any house, or other premises, for the purpose of exhibiting posters; to pay for any bands of music, torches, banners, ribbons or other marks of distinction, or to pay for the conveyance of voters to the poll.

It disfranchises every person employed for money by the candidate, and cuts down the number who may be employed to one agent, one polling-clerk and one messenger for every 500 voters.

It defines the purposes—so much for printing, so much for this and so much for that—for which alone money can be spent; and it limits the total maximum to $1,750 where the voters num-

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ber 2,000, and $750 for each 1,000 votes above that number; a subject never before touched by law.

It prohibits a single cent of this expenditure being incurred by any other person than the agent. Whatever aid any club or association may desire to give must be in cash to the agent, of which hereafter. The spending-agent has to make an itemized account with the names and duties of every person employed or bills incurred, confirmed by their vouchers. Within thirty-five days after the election, the agent is compelled to file a statement of all moneys received by him from the candidate or from any other person, with the name of every person, club or association from whom the same was received. Both the candidate and the agent are charged with actual personal knowledge of all the details of these receipts and payments, and each of them has to declare solemnly and sincerely that, except as appears on the returns, they have not, nor to the best of their knowledge has any other person, *nor has any club, society or association,* on behalf of the said candidate, made any payment or incurred any liability on account of, or in respect to, the conduct or management of such election.

To clench the whole legal fist, and to bring it down swiftly and mercilessly: if there be a petition against the member the Director of Public Prosecutions is to attend it; *and it shall be his duty,* without any direction of the court, to prosecute persons guilty of corrupt or illegal practices before any court competent to deal with the offences. Finally, if there be no petition, and if any information is given to the public prosecutor that any corrupt or illegal practices have prevailed, *it shall be his duty* to make inquiries, and institute such prosecutions as the circumstances appear to him to require.

Under these provisions, the old conditions passed away, and individual political debauchery has to be written of as history.

ARTHUR POTTOW.

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TRUST COMPANY RESERVES: AN INQUIRY.

BY GEORGE W. YOUNG.

WITH the assembling of the New York Legislature has come a revival of the old question of the maintenance of a cash reserve by Trust Companies.

As has been demonstrated in past discussions of this subject, it is a matter in which legislative action at any time might involve risk of results likely to work injustice to an enormously important branch of business, as well as to thrust an element of disturbance, if not of actual menace, into the entire commercial situation. At this time, particularly, of feverish public sentiment regarding institutions of a fiduciary character, this risk is greatly accentuated. It is the psychological moment when, under the form of putting institutions of trust under additional restraint, measures might very well be enacted which would work injury to such institutions without inuring to the benefit of the public or of competitive banking institutions.

Under present conditions, the difference existing between Banks and Trust Companies on the question of the maintenance of a cash reserve is of serious import, and should not be permitted to increase. It should, if possible, be eliminated. Even if this difference were confined to the State of New York, as it is not, all effort to this end should be made, since New York may fairly be said to be the clearing-house of the country, and what affects its financial security and operates to maintain or disturb its normal financial condition necessarily affects, favorably or injuriously, the country at large.

It is desirable, at the outset of any discussion of this subject, that the radical distinctions between the kinds of business conducted by Trust Companies and Banks should be considered, so that the conclusion may not be reached that, because both are

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financial institutions, the same methods of control and regulation are to be indiscriminately applied to both. Savings-Banks are financial institutions, but no one would think of applying to them the rules for the conduct of business required of or voluntarily adopted by Trust Companies; and it is safe to say that the distinctions between Savings-Banks and Trust Companies are not more marked than those between Trust Companies and Banks.

It should be borne in mind also that "Cash Reserve" is an emergency fund held in vault, idle, unemployed, unproductive and unavailable, except to meet unexpected demands by depositors upon the resources of an institution.

Even if it is to be assumed that the sole purpose of those who are pressing this Trust Company reserve-fund question is the wholly laudable one of giving stronger protection to depositors, nevertheless, the full merit of the question itself is a matter that should be subjected to very careful consideration.

Whence, then, is derived the impelling force which, with increasing persistence during several years past, has been urging this legislation. Is it a lack of public faith in Trust Companies? Is it due to Trust Company disasters and losses to depositors through such disasters? Has the Trust Company system, by any such misfortunes, given warrant for the demand for the radical change that is proposed?

The record itself is an overwhelming refutation of all these suggestions. The enormous increase of Trust Companies and Trust deposits within the past few years amounts to an emphatic vote of public confidence such as has been rarely, if ever, paralleled in the financial history of the country. Ten years ago there were in the State of New York thirty-eight Trust Companies with a capitalization of $29,000,000, and with deposits of $307,000,000. To-day there are eighty-one Companies with an aggregate capital of $63,000,000 and deposits of $1,137,000,000; the increase for the ten years being $830,000,000, or approximately 270 per cent. In the City of New York ten years ago, twenty-seven Companies had capital amounting to $27,000,000, and deposits of $291,000,000. To-day forty-seven Companies have $56,000,000 of capital, and $1,010,000,000 of deposits. The increase under this latter account for ten years has been nearly 247 per cent. as compared with an increase in the deposits of National Banks in New York City for ten years of only 136 per cent.

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It is apparent, therefore, that the Trust Companies, without legal restriction as to reserve, seem to be quite as solidly established in public confidence as are the National Banks, with their compulsory reserves.

The practical results of the two systems bear even more emphatic testimony in favor of the Trust Company. If a financial system were radically wrong, it would be reasonably certain that, during the course of a period extending over a third of a century, many failures and disasters would have resulted. If, on the other hand, during so long a time it had involved few disasters, it might be fairly claimed for it that, as a system, it was fundamentally sound. If in the same interval no disaster whatever had occurred whereby a single depositor had lost a dollar of his money, it would clearly have been established that it was a system that might be safely let alone. The burden of proof that it was defective, that it involved danger, would rest upon those who proposed to change it.

Such is precisely the condition which confronts those who are endeavoring to change the Trust Company reserve system at this present moment. The record of the Trust Companies of New York is that, for a third of a century of business involving the handling of hundreds upon hundreds of millions of money, not a dollar has been lost to depositors. The official books of the State Banking Department in Albany show that from 1871, a date preceding that of State banking supervision in New York, down to December 31, 1905, out of over one hundred incorporated Trust Companies in the State of New York, only two have failed, and both those two paid every one of their depositors every dollar of his deposits.

In the same interval of time, there were in New York State seventy failures of State and National Banks involving losses of millions of dollars. If it is the State and National Banks who are urging upon the Legislature that Trust Companies be put under legal conditions as to cash reserves, a comparison of these records hardly enforces the argument. These records, indeed, bring out once more and with much emphasis the question of just how great security to depositors there really is in the theory and practice of the present cash reserve law as applied to State and National Banks. That the application of such conditions to Trust Companies would be beneficial

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is certainly not proved thereby. The theory that Trust Companies are in a vulnerable position because they are not required to maintain a cash reserve, and that the laws of New York State for the protection of Trust Company depositors are inadequate, is disposed of by the same records. Over thirty years' test has demonstrated that these laws are adequate—abundantly adequate. Not a contingency has arisen in the entire history of Trust Company operations in the State of New York to suggest, even remotely, the necessity for additional legislation upon the subject.

The marvellous growth of Trust Companies during the past few years has wrought interesting changes in the banking business of the United States. Instead of having to themselves the field left unoccupied by the savings institutions, the National and State Banks have found their territory invaded by competitors having strong recommendations to popular favor. Prior to the great growth of Trust Companies, the payment by Banks of interest upon accounts was all but unknown. Now it is all but universal. The Trust Companies voluntarily paid interest. This compelled State and National Banks to do the same. The computation of how much in millions of money the general business public has gained by this result alone of the advent of the Trust Company would be an interesting subject of investigation.

Trust Company depositors in New York State received during the last decade the vast sum of $147,000,000 in interest. In the same period, these Companies paid their shareholders the sum of $62,000,000. In other words, the Trust Companies divided among those representing the general business public $85,000,000 more in money than they divided among their own shareholders. During 1904, the depositors received nearly $26,000,000, the shareholders $9,500,000. The excess distribution to depositors was upwards of $16,000,000.

With these facts fully appreciated, it requires no intricate investigation to understand the great popularity of the Trust Company. It needs no prophet to foretell that legislation which threatens to hamper the Trust Company's earning efficiency will create a widespread feeling of dissatisfaction. The Trust Company depositors of the State of New York now approximate 250,000 in number. This great body of depositors would represent the productive element of a city having a million of inhabitants.

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Any enactment crippling or impairing the effectiveness of Trust Companies as money-earners would, by just so much, cripple or impair the financial resources of a community in numbers equal to one-eighth of the entire population of the State. In the face of the demonstrated safety of Trust Company business methods, this large proportion of the active business community, which has so substantially profited by those methods in the past, should demand very strong proof before being convinced that any legislation is of urgent necessity as a mere contingent safeguard for the future, especially such as would involve the risk of additional disturbance of present financial conditions.

It is not to be supposed that Trust Companies have grown to their present power and influence in the financial world without creating antagonisms. As a matter of fact, they have invaded and made radical changes in territory where other influences heretofore have been dominant.

The New York Clearing-House, representing the united banking strength of the financial centre of the country, had come to wield a practically dictatorial power. It had become the court of final resort in all things financial. Beyond its determinations there was no effective appeal. The tendency of an organization of this kind is to have its powers drift toward concentration into a few strong hands. The natural, perhaps the inevitable, gravitation is toward some central, dominating group. In so strong a body as the Clearing-House, any such group controlling it would have a tremendous power. It is a matter of public concern that there should be great care as to the manner in which this power is exercised or extended.

The amazingly rapid growth of Trust Company interests has already been cited. These Companies were successful because they met more completely than did other institutions the modern banking requirements of the community, while at the same time acting as beneficent conservators of funds and estates. They undoubtedly encroached greatly upon fields theretofore occupied exclusively by the State and National Banks. They grew so rapidly that they hardly knew their own strength. It was only when the Clearing-House sought, without consultation with the Trust Companies, to impose upon them conditions operating to cripple their efficiency, that they were forced to take action. They then realized two facts. One was that they had grown

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to dimensions which put them shoulder to shoulder, in point of strength, with the Clearing-House Banks themselves. The order was that, with no corresponding organization of their own, they were subject to the rulings of an organization in which they had no voice, and with the members of which they were in active competition.

On the eleventh of February, 1903, the Clearing-House adopted a rule which gave its committee the ultimate power to fix the cash reserve to be carried by Trust Companies making use of its clearing facilities at not less than ten per cent. nor more than fifteen per cent. of their deposits. With two exceptions, the New York City Trust Companies withdrew from the Clearing-House, with no resulting embarrassment to themselves or inconvenience to their depositors.

The fact that the Trust Companies organized the Trust Companies Association of the State of New York, and that they did this only three days before the Clearing-House rule became operative, has led to the assertion that the movement was one hostile to the Clearing-House. Nothing could be further from the fact. To be sure, the primary purposes of the Trust Companies Association are to promote Trust Company interests and the interests of Trust Company patrons. These purposes, it was very justly felt, could be best attained by cooperation among Trust Companies themselves—a cooperation which theretofore, unfortunately, had been to a certain extent neglected. But never for a moment was it designed to confine this cooperation to Trust Companies alone. On the contrary, the underlying purpose of the Trust Companies Association was the establishment of a relationship between Banks and Trust Companies, upon the definite and harmonious basis which common sense dictates. It was reasonable that the Trust Companies of the State of New York should desire, through cooperation, to obtain that recognition to which their dignity and importance entitled them in the financial world. This applied, and still applies, especially to the Trust Companies of New York City, holding, as they do, over a billion dollars in deposits, an amount approximating the $1,119,000,000 deposits held by the Clearing-House Banks, and considering that a large portion of Trust Company funds are included in these Bank deposits.

The rule adopted by the Clearing-House represented, pre-

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sumably, the best judgment of that body as to the restrictions under which Trust Companies should operate. It is interesting, therefore, to observe just what result would have followed if that rule had been carried out. Under its provisions, the minimum cash reserve to be demanded of Trust Companies was ten per cent. of their gross deposits. The maximum was fifteen per cent. If the ten-per-cent. minimum had been applied, the Trust Companies of the City of New York alone would have had tied up in their vaults, on the ninth of November last, cash to the amount of $101,098,865. Mr. Kilburn, in his annual report of January 3, 1906, shows that these Trust Companies, on November 9th, 1905, did have actually so tied up $19,936,623. Thus it will be seen that, had these Trust Companies consented to come under the Clearing-House ruling, there would have been added the further withdrawal from circulation of over $81,000,000. That would have been one result of the application of the Clearing-House rule in its mildest form. If, instead of the minimum, the maximum limit of fifteen per cent. of the gross Trust Company deposits had been enforced, the Trust Companies of the City of New York would have had lying in their vaults, idle and unproductive, cash to the amount of about $150,000,000.

It is worth while stopping to consider for a moment, in some of its bearings, just what so vast a sum as $150,000,000 stands for. The total stock of money in the United States, as shown by the report of the Comptroller of the Currency for 1905, is $2,883,000,000. Of this, $295,000,000 is locked up in the vaults of the United States Treasury, and $987,000,000 in the vaults of the National Banks. This leaves $1,600,000,000 in actual circulation. The application of the Clearing-House rule to the Trust Companies would have withdrawn $150,000,000. In other words, when the Trust Companies refused their consent to this regulation, they refused to sanction an action which made it possible to lock up and render idle nearly ten per cent. of the entire volume of currency in actual circulation in the United States. The withdrawal of this vast sum from the Banks, moreover, would have had another far-reaching effect not to be overlooked. It would have had the immediate consequence of greatly curtailing the loaning power of the Banks. The combined effect of this contraction of the currency and of the loaning power of the Banks, in view of recent experiences, may be imagined.

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It was said in the beginning of this article that the forces back of the Trust Company reserve agitation, as well as the intrinsic merit of the question itself, should be subjected to very careful consideration before the enactment of any legislation bearing upon the subject; and, in view of what has just been set forth, it is evident that that statement was not too strong. It is plainly imperative that there should be very close and rigid scrutiny of a proposition involving the locking up, as reserve, of such enormous amounts of cash. Whether a step involving such possibilities of grave financial embarrassment, to use no more alarming term, may or may not be avoided; whether the record made by the Trust Companies is of a character to warrant such a heavy restriction being put upon their earning power; whether, in view of our already contracted currency, a serious crippling of financial activity might not follow the extension of capital-paralysis to such great length—all this is matter for very searching and careful consideration on the part of those who may assume responsibility for such action as has been proposed.

Especially should there be conscientious inquiry to determine whether the demand for the elimination from productive usefulness of such an enormous force of cash vitality is really in the interest of the financial public and of the Trust Company depositors only, or whether it is not the result of persistent effort on the part of rival banking institutions to strengthen their own position by placing an unnecessary restriction upon the activity of their competitors.

We have only recently had an all too painful experience with what an eminent banker, in words the vigor of which met hearty approval, characterized as a "disgraceful" condition of the money-market. To what extent an additional and wholly unnecessary tying up of an enormous volume of cash would operate toward a recurrence of the same state of credit-anarchy is a factor, and a very vital factor, that must enter into the calculations of those who may have been influenced by the systematic campaign of Trust Company reserve agitation which has been, and still is being, carried on with so much activity.

The movement toward the enforcement of a cash reserve upon Trust Companies has been pushed with a vigor and persistence quite remarkable. It has become virtually a campaign, and, as a campaign, has developed peculiarities of aggressiveness. Un-

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der these circumstances, the heat generated by the discussion has resulted in misleading statements regarding the actual status of Trust Companies. The assertion, for instance, that Trust Companies maintain no cash reserve is open to misconstruction. It is one of those partial truths which are sometimes quite as misleading as deliberate misrepresentation. As a matter of fact, the position of Trust Companies, in this and other respects, has been very generally misunderstood. The report of the Banking Superintendent up to the beginning of 1905 shows that the deposits of the Trust Companies of New York City amounted to $1,014,730,542. Of this amount $269,707,402 were deposits in trust, while $593,832,331 came under the head of "general deposits." The third group, comprising the $151,190,808, consisted of amounts due Trust Companies, Savings-Banks, Banks and bankers.

Of the $593,832,331 characterized as "general deposits," a very large proportion is in time-deposits, against which it is not pretended that a cash reserve should be maintained, any more than it is that one should be maintained against the $269,707,402 of deposits as trusts proper. Just what proportion of the Trust Company deposits might come under the head of a banking business is entirely uncertain. Available data bearing on the subject are too inadequate for a specific statement. There is one fact, however, which is illuminating. It is found in the relative clearings of the Trust Companies and those of Banks. As has been pointed out, the New York Trust Companies, with two exceptions, withdrew from Clearing-House facilities when the rule regarding reserve became operative. During the year 1903 the clearances of the Banks aggregated $64,724,920,947. Those of the Trust Companies during the same year, five Companies not reporting, amounted to only $4,632,034,356. This was slightly in excess of seven per cent. of the Bank clearances. In 1904, the Bank clearances through the Clearing-House amounted to $68,071,858,413. During the same year, five Companies still not reporting, the clearances of Trust Companies, as represented by all cheques paid against deposits, amounted to only $4,929,048,797.

Thus it is seen that, with heavy fluctuations in Bank clearances, Trust Company clearances remain remarkably steady, and this notwithstanding a vast aggregate increase in Trust Company deposits. Here is a fact that cannot be controverted. It is one that demands the very serious consideration of those who may take

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upon themselves the responsibility of locking up such a large percentage of the entire actual currency circulation of the United States, with all of the associated risk and peril. Aside from the possibility of public mischief which such a step would involve, it is submitted that there is in the proposal an element of unfairness and injustice to the Trust Companies themselves. As the facts just cited show, to require a cash reserve against the total Trust Company deposits would be to impose upon them the necessity of maintaining such a reserve against enormous amounts which of right should be exempted from entailing such conditions.

The reserve proposal is not a necessity demonstrated. The record of experience is not available for that line of argument. The most that is claimed is that it is a necessity threatened. It is the future welfare of the Trust Company depositors about which there is such deep concern. Their welfare in the past has been abundantly looked after by the Trust Companies themselves. It is the "what-might-happen" which is the issue. To be sure, the experience of over thirty years has demonstrated that the "what-might-happen" has not happened. The argument simply is that it "might." This is the sole ground on which has been based so much anxiety for the safety of Trust Company depositors. The inference sought to be drawn is that between Trust Company depositors and the loss of their deposits there is no safeguard, no matter how faithful to their responsibilities the Trust Companies may have been in the past.

It is in this suggestion that there lurks so much of misrepresentation, or, at least, misunderstanding. It tends to becloud several very important facts. It ignores the vast resources behind which, as a matter of fact, the Trust Company depositors have been intrenched and their interests safeguarded. It obscures the very important fact of the restrictions regarding investments and the maintenance of security deposits with the State under which Trust Companies are placed, and it leaves out of the reckoning not only the vast Trust Company capital and surplus of over $200,000,000, but it takes no account of the actual cash reserve which in practice is maintained by the Trust Companies.

Against their total deposits of $1,014,730,542, at the beginning of 1905, the Trust Companies of the City of New York had cash

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in bank amounting to $158,555,903, and cash in hand amounting to $31,302,136. The law requires that the Banks maintain a cash reserve of twenty-five per cent. on deposits. This applies to their Trust Company deposits, as well to as those of individuals. The Banks, therefore, had in their vaults on the first of January, 1905, twenty-five per cent. of the $158,555,903 of Trust Company deposits, or $39,638,975. This was ready Trust Company money. It was just as available as the $31,302,136 actually in the Trust Company strong boxes. In other words, here was a total cash reserve of nearly $71,000,000 actually maintained by the Trust Companies. It is over two per cent. in excess of the cash reserve recommended by the Superintendent of Banking. If it be objected as an injustice to the Banks that they carried over half of this and paid interest on it, the answer is that they did not have to carry it and pay interest on it if they did not so elect, and that their action presumably was prompted by their interests.

If the Banks really feel that the lack of a cash reserve in the Trust Companies' vaults is a menace to depositors, the query naturally arises as to why they do not take a step, easily within their own power, to remedy the error. By the very simple process of refusing to pay interest on Trust Company deposits, they could force into the Trust Company vaults the reserve which they think it so necessary to have there. It is curious that this solution of the problem never occurred to any of the banking interests which have been so active in pressing the proposed Trust Company reserve legislation.

The restrictions regarding Trust Company investments are of the most rigid character. The law requires that the capital shall be invested in bonds and mortgages on unencumbered New York State real-estate to the extent of not over sixty per cent. of the value thereof, or in stocks and bonds of the State, or of the United States, or of any county or incorporated city in the State. A Trust Company may not hold stock in any private corporation in excess of ten per cent. of such Trust Company's capital, surplus and undivided profits. In addition to such rigid restrictions regarding investments, there is imposed upon Trust Companies the further requirement of keeping a deposit of securities with the State Superintendent of Banking.

At the beginning of the year 1905, the securities so deposited by the Trust Companies of the City of New York alone represented

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the sum of $6,377,500. The maintenance of this deposit is a restriction exclusively applied to Trust Companies. No security of this kind is demanded of either National or State Banks. It is one of the exceptional requirements made upon Trust Companies in view of their technical exemption from the maintenance of a cash reserve.

There followed, under the provisions of the investment restriction laws, the purchase and holding by the Trust Companies of the State of New York of Government, State, City and County bonds to an amount which, at the beginning of last year, represented the sum of $68,225,451. Now, with all of these Trust Company resources;—of an actual cash reserve, as, for example, on the 1st of January, 1905, of $71,000,000; of capital and surplus of over $209,188,601; of first mortgages on New York real-estate of $64,549,929 and of State securities deposited of $7,639,250—with all these Trust Companies resources held as safeguards to depositors, no mention whatever has been made of investments of various stocks and bonds under the exacting limit required by law and representing a value of $227,437,713. If these were included, the total investment in stocks and bonds would be nearly $300,000,000. It is important in this connection that especial attention be called to the character of the securities which compose the enormous values the Trust Companies retain in holdings of this nature. A large volume of these are of a class which have been declared by the Secretary of the Treasury of the United States to be entirely acceptable as security from National Banks against their circulation. Bonds and mortgages on improved real-estate are a class of investment of capital recognized in legislation and by the most conservative interests as among the surest safeguards to depositors.

The appeal to experience, in the matter of the comparative disasters to Banks and Trust Companies during the past thirty years, has been here made with no purpose of establishing invidious comparisons. The Trust Companies make no claim to superior integrity or intelligence in the administration of their business. The heavy losses from Bank disasters in the State of New York, during the long period wherein the Trust Companies had none, do, however, seem to justify certain deductions having intimate bearing upon this cash-reserve question. They certainly demonstrate that the cash reserve, *per se,* is in practice but a frail safe-

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guard to the depositor. Depositors in Banks maintaining, theoretically at least, the reserve the law imposes upon them, lost heavily. Depositors in Trust Companies, technically exempt from the maintenance of such reserves, lost nothing. The two facts, side by side, if the argument for cash reserve for Trust Companies is to be supported, invite discussion and require explanation. They raise a question which, it would seem, may be studied with advantage in connection with the proposed legislation purporting to be in the line of further safeguarding depositors. The Trust Company has characteristics peculiar to itself. When it came into being, restrictions were thrown around it in the character of its investments, in the requirement of a deposit of securities with the State, and in various other exactions not required of Banks. Experience has shown that in practice these restrictions are adequate. It has shown that they answer the purpose of protection to depositors better than do the cash reserve requirements applied to banks. One inference, at least, seems to be warranted by the record of over thirty years in the State of New York, and that is, that a cash reserve is neither the only nor the best safeguard to depositors.

Is it not well to pause before still further extending that method of safeguard? The evils which such further extension would seriously aggravate are not imaginary. They have been pointed out in tones of grave, all but stern, warning by those representing the soundest financial judgment of our country. Are conditions so pressing that that warning must go unheeded in this instance? Trust Company depositors themselves, by a vote of confidence quite unparalleled, have expressed themselves as satisfied, one might almost say enthusiastically satisfied, with the safeguards that are already around them. If, in the face of this confidence on their part and of the thirty years' record of sound, conservative Trust Company administration on which this confidence is based, it is still thought necessary to create even greater safeguards, is there not some other and better way of accomplishing this result than by locking up a large percentage of the country's already too restricted volume of actual currency in circulation? This surely is a question worthy of very careful consideration.

That the question shall receive such consideration is certainly no unreasonable demand.

GEORGE W. YOUNG.

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WORLD-POLITICS.

LONDON: ST. PETERSBURG: CONSTANTINOPLE: WASHINGTON.

LONDON, *January, 1906.*

WHEN I last wrote, Sir Henry Campbell-Bannerman was in the throes of Cabinet-making. They were neither very painful nor very prolonged. So far as the public was aware, no complications of any sort supervened, beyond Sir Edward Grey's momentary unwillingness to accept the Foreign Office portfolio; and this subsided almost before it had arisen. Yet I dare say that, a quarter of a century hence, the memoirs and biographies and diaries of the members of the new Government will be full of piquant and unsuspected revelations. I have just been reading, and can heartily commend to all Americans who are in any way interested in English affairs, the singularly masculine and brilliant Life of Lord Randolph Churchill, by his son Mr. Winston Churchill, the newly appointed Under-Secretary for the Colonies, and perhaps the most promising of all the rising men. In it will be found a racy and full-blooded account of Lord Randolph Churchill's struggle to bury the amiable mediocrity of Sir Stafford Northcote in the House of Lords. The House of Lords has something of the political usefulness of the American Vice-Presidency. It is an institution, just as the Vice-Presidency is an office, designed for the reception of decayed or obnoxious politicians. When an Englishman finds himself urged by his friends and his party to accept a peerage, he is generally right in taking it as a polite hint that the days of his political utility are over. Lord Randolph Churchill positively declined to assume the Chancellorship of the Exchequer so long as Sir Stafford Northcote remained the leader of the Conservative party in the House of Commons. A sharp struggle ended in Sir Stafford Northcote's disappearance up-stairs into the obscurity of the House of Lords.

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I do not affirm, but I strongly suspect, that a not dissimilar struggle raged around "C-B" when he came to form his Ministry. It was felt that, though "C-B" was the inevitable Prime Minister, he was by no means the best man for the leadership of the Liberal party in the House of Commons. But, so long as the Premier is a member of the popular Chamber, he cannot be other than its leader. A strong effort was, therefore, made to induce "C-B" to enter the House of Lords. Many reasons, such as "C-B's" age and health and the ceaseless and exacting labor entailed upon one who would be both Prime Minister and leader of the House of Commons, were urged in favor of the step. But the real reasons that made it advisable were reasons that could not well be put to "C-B" himself, however much they might be canvassed in clubs, committee-rooms and newspapers. "C-B" is the first Englishman, or at any rate, the first since the forgotten Addington, to rise to the Premiership without the advantages either of a high social position or of a reputation for statesmanship. He has achieved literally nothing. At the War Office, he showed himself a competent administrator, but no more. His name is unconnected with any great piece of legislation or with any stirring cause. His personality, so far as it is revealed in his public acts and speeches, is curiously unsuggestive. He is a man of mountainous commonplace. A ding-dong, pachydermatous disposition and the plodding habit brought him to the Front Bench and have kept him there; but his Premiership is essentially the accident of an accident. Like the chieftain in Homer, "C-B" might truthfully exclaim, "It is not I who am the cause of this; it is Zeus and Fate." Neither in achievement nor in intellect nor in abilities does "C-B" reach the normal standard of British Premiers. As leader of the Opposition, during the past few years, he has shown himself an immortally maladroit tactician. He is a debater who reads his speeches—for the discerning, that trait is alone enough to illuminate the whole inner man. Neither the country nor the House can really be said to respect him as Prime Ministers should be respected. "C-B" arouses no enthusiasm, though nobody grudges him the reward that in politics, as in other pursuits, awaits the industrious and uninspiring apprentice. As a figure-head his broad, placid and accommodating temperament will stand him in good stead; but no one pretends that, in the stormy and difficult sessions that lie

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ahead of the Liberal Government, "C-B" is the man to stand up to such consummate debaters as Mr. Chamberlain and Mr. Balfour, or to show the alertness, vigor and resource that will be abundantly needed.

That, therefore, was one reason why his friends anxiously pressed upon "C-B" the desirability of entering the House of Lords. Another reason was that without him the Liberal Peers would make even a poorer showing than Liberal Peers usually make in the Upper Chamber. It so happens that, with Lord Rosebery continuing to stultify himself by aloofness, with Lord Spencer compelled by illness to relinquish active politics, and with Lord Ripon nearing eighty, the Liberal Peers have no one among them with the requisite experience and authority for representing the Government in the Lords. That is a serious disadvantage, because, while the House of Lords under a Conservative régime almost ceases to exist except as a ratifying Chamber, no sooner are the Liberals in power than it is at once not only on the *qui vive,* but on the defensive. It is one of the anomalies of the British Constitution that the House of Lords, without whose assent no bill can become law, should decide on the measures that come before it not upon their merits but by their source of origin. The most radical and distasteful and even revolutionary bills, if proposed by a Conservative Ministry—for example, the Irish Land Purchase Bill of 1903—will pass the Lords, while the most moderate measures, if proposed by a Liberal Ministry, will be ruthlessly held up, amended, and sometimes defeated. Sooner or later, the question of "ending or mending" the House of Lords must become, and until it is settled will remain, the greatest of all English questions. Until then it is essential, if a Liberal Government is ever to be in power as well as in office, that it should possess, in the Upper House, at least one persuasive representative of recognized standing and authority. "C-B" speaking to the Lords with all the prestige of the Premiership would be a greater asset to the Liberal party than "C-B" engaged in the unequal combat of House of Commons debates, where the divinity that doth hedge a Prime Minister is either triumphantly and autocratically asserted—an exertion of which "C-B" is frankly incapable—or else is apt to sink altogether into a mere mockery.

There were, therefore, good reasons why "C-B" should seek

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refuge in the aristocratic Chamber, and it was his refusal to do so, or at any rate to do so immediately, that nearly lost him the services of Sir Edward Grey. The Prime Minister argued, I believe, that his acceptance of a peerage before the General Election would be at once a confession of personal inadequacy and of political half-heartedness, if not of downright political cowardice. He was allowed to have his own way, but only on the understanding that he would repair to the seclusion of the Upper House at the first convenient opportunity. It is, therefore, probable that after a few months more in the House of Commons "C-B" will gracefully pass onward and upward, taking the Premiership with him, but leaving the leadership of the Lower House in the younger, firmer and more dexterous hands of Mr. Asquith. All this, of course, is on the assumption that the General Election which is now just about to begin and which will be over by the time this letter appears in print, results in a Liberal victory. I have no hesitation in making that assumption. A triumph for Liberalism has long since been conceded even by its opponents, and the question that most engages speculation is whether the triumph will be so complete as to render the new Government independent of the Irish vote.

Friend and foe admit that, in the selection of his Cabinet, "C-B" has done his work well and gathered together a strong, cohesive and businesslike team; and the country as a whole has given it a hearty and reassuring welcome. Indeed, both individually and collectively, the new Cabinet, if not quite so strong on paper as the Salisbury Ministry of 1895 or 1900, is undisguisably weightier and more efficient than its immediate predecessor. Sir Edward Grey's presence in the Foreign Office is as much a guarantee that the Lansdowne course will be steered where it was right and deftly shifted where it was faulty as though Lord Rosebery himself were once more installed in Whitehall. The country absolutely trusts the new Foreign Secretary, and with justice; for Sir Edward Grey is one of those men in whom statesmanship is intuitive. Mr. Asquith, the Chancellor of the Exchequer, belongs to the first flight of English lawyers, has shown on more than one occasion an almost Rooseveltian political courage, is a master of all the arts of lucid exposition, and though, perhaps, too self-centred to be a great popular leader, has never yet failed to impress the House of Commons with the vigorous

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directness of his mind and character. Of Lord Elgin, the Secretary for the Colonies, little is known except that he was a capable Viceroy of India, presided over the commission that inquired into the conduct of the Boer War, and arbitrated with excellent clear-headedness the Scottish Church controversy. The Under-Secretary for the Colonies is Mr. Winston Churchill, who, being young, pugnacious and almost unreasonably able, is detested by some and sneered at by many, but who has, I feel sure, the root of the matter in him and will rise as high as his father and higher. Mr. John Morley, who goes to the India Office, in time, as many think, to save the great dependency from falling under a military autocracy, needs no introduction to Americans. I need scarcely say that his profound and philosophical mind, his mellow judgment, and his seasoned experience in administration would add not only strength but distinction to any cabinet. Mr. Bryce takes charge of Ireland—not to bring in a third Home Rule bill, but to proceed with equal caution and sympathy along the pathway of gradual reform. Mr. John Burns, a working-man, and one of the most useful Members in the House, goes to the Local Government Board—a most popular appointment and one that his energetic common-sense is sure to turn to excellent and probably piquant account. Mr. Lloyd-George, the dashing Welshman of the bitter tongue, who stands to-day pretty much where Mr. Chamberlain stood twenty-five years ago and is not less efficient and not less hated, receives the Presidency of the Board of Trade. Mr. Sydney Buxton, who knows the *pros* and *cons* of all political questions, and is equally at home on Throgmorton Street, by a salmon-stream and on a grouse-moor—an admirable specimen, in short, of the cultivated, broad-gauged Englishman—becomes Postmaster-General; while Mr. Augustine Birrell brings to the Board of Education an acute intellect and so great a reputation for practicality that even his still greater fame as a writer has not been able to destroy it. But, of all the appointments, the most interesting and in many ways the strongest is that of Mr. Haldane to the War Office. He is a man who would have delighted the Prince Consort. The Prince used to complain that the great defect of English statesmen was their lack of philosophical training. They never looked all round a subject. For instance, they never seemed to have asked themselves why they needed an army or what sort of an army they ought to

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have. Those are precisely the questions that Mr. Haldane would inevitably put to himself on first approaching the army problem. He thinks in German; he has written profoundly on German philosophy; and his mind is saturated with the instinct of scientific reasoning. One of the most-learned lawyers of the day, he has shown in Parliament the attributes of natural statesmanship.

Such men as these deserved the national confidence, and received it. The new Cabinet was instantaneously felt to be worthy, not merely of the party, but of the country, and Liberal stock rose. "C-B's" inopportune speech at Stirling, indeed, and the interpretation put upon it by Lord Rosebery, have given the Protectionists an excuse (of which, needless to say, they have made the most) for pretending that the Liberals are still bent on introducing Home Rule into Ireland. But the British democracy has a sound political instinct. Where the Protectionists profess to see a gruesome Irish bogey, the average elector insists on seeing only a turnip and a sheet. The average elector insists further that, in this campaign, the predominant issue is Protection *versus* Free Trade; and on that issue the Liberals are bound to win.

ST. PETERSBURG, *January, 1906.*

As usual, the unexpected happened. Russia passed from a general strike to civil war in a twinkling, and without any noteworthy symptom of preparation. Late one night, an anonymous body, known as the Council of the Workmen's Delegates, decreed a general strike of which the whole nation seemed heartily tired; and, while the public was discussing its chances of success and failure, it was fully accomplished in Moscow and enforced there by an armed insurrection, the very possibility of which everybody would have denied on the eve. The effect was staggering. Many began to fear that Russia was utterly ruined and that no efforts could henceforth save her. At home, Witté's policy was bitterly inveighed against and the Tsar's Government severely condemned, while abroad the Russian masses were regarded with mistrust and aversion. Then the strife began. The streets of Moscow were turned into battle-fields; in lieu of fortifications, the rebels erected barricades; well-built houses were transformed into temporary strongholds; trade and industry were stopped; the railways were forced to suspend traffic; the headquarters of the secret police were blown up; police officers were watched, way-

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laid, executed; the General Governor was condemned to death,—whenever caught.

Before the Moscow insurrection had formally broken out, the state of affairs in St. Petersburg was truly alarming. Night after night, a body of workmen was wont to meet in a big hall to deliberate on the political programme of the next day, to discuss questions of policy or tactics, to provoke the Government or inspirit the extreme opposition. They met with no let or hindrance. Their Moscow brethren were less fortunate or, it may be, less cautious. Members of the Strike Committee there were arrested at a fashionable restaurant in a *cabinet particulier,* enjoying themselves at table. But in St. Petersburg the workmen had their way in most things. They compelled each of the principal journals in turn to print their revolutionary organ; they sneered and scoffed at the Government, taunted and provoked the authorities until people began to look upon them as the real rulers of the realm. "They at least know what they want, and are not satisfied until they get it," the press observed. "The official Government is lifeless," it added, "and any morning we may awaken to learn that Count Witté has been arrested by the Chairman of the Workmen's Council, Khrustaloff." The remark was meant to be ironical, but it might have been fulfilled at any moment; would, indeed, have come true if the authorities had but waited a little longer. But they arrested Khrustaloff.

"The queen-bee is taken, we can now have the hive," the Government thought and said. But that was another delusion. "Khrustaloff is gone," answered the workmen, "but we can find four hundred substitutes for him. Our force lies in anonymity and mediocrity. We possess no great man, but countless humdrum people, any one of whom can take the place of another at a moment's notice." But none the less they felt the want of their real leader, and never regained their lost force. Reprisals were thought of. A strike was proposed, an insurrection suggested, terrorism canvassed. But to each of these measures there were serious objections. Nothing was settled, until one afternoon a man entered one of the factories, announced (falsely) that the Cossacks had torn to pieces a member of the workmen's association who had refused to be arrested, and, believing the narrative, the operatives at once clamored for a strike. The Socialists assented heartily to a measure which they were impatient to adopt,

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yet hesitated to propose, and the Council of the Workmen's Delegates at once proclaimed a General Strike.

Now, the men who thus rose up against the Government belonged to several political groups, pursued conflicting aims, were animated by motives drawn from different spheres of thought and feeling. They all agreed, however, in their utter distrust of the Government, and in this they were supported by all the Liberal parties in the Empire. No Government, they argued, has ever yet kept its word, and it would be folly to trust the present Cabinet simply because it calls itself constitutional. In this, but in nothing else, was there accord among the popular factions. The Socialists sought to wrest the power in its passage from Tsar to Duma, knowing that, if they failed in this, their opportunity might not come again for generations. The Jews, who had never received any favor from the Autocracy, turned naturally to the revolution for redress of their grievances. The workmen were assured that they had it in their power to win an eight-hours working-day; the peasants were encouraged to take the land of the crown, the Tsar and the gentry; soldiers and sailors were told they would acquire the right of electing and dismissing their superior officers; the Poles, Lithuanians, Letts, Esthonians, Armenians, Georgians, Little Russians—all the nationalities, in a word, who have refused to assimilate with the Great Russians—were encouraged to strike a blow for autonomy.

The moment, too, was much more propitious than it seemed. The insurrection had been carefully planned in both capitals, special attention being paid to Moscow on account of its maze of narrow, winding streets, its network of courtyards leading from one thoroughfare to another, the ease with which barricades could be thrown up by the rebels, the difficulty and danger to the troops who should attempt to remove them, the large number of working-men who must yearn for shorter hours and higher pay, and the sympathy of the lower class generally. But St. Petersburg also was mapped out into twenty-two districts, and a number of armed men were to go to work in each seizing important strategic points, buildings and personages. There were few troops in St. Petersburg and scarcely any in Moscow, while the temper of the soldiers who were available was known to be very dubious.

The revolutionists were delighted to meet, night after night, soldiers and officers who regularly attended their assemblies, and

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publicly assured them that this or that regiment would not only not fire against the people, but go over bodily to the insurgents when the hour of action had struck. How many of these traitors to their Tsar were really military men, and how many were revolutionists in disguise, it is impossible to determine; but there seems to be no doubt that the latter element predominated. None the less, faith in the army had received a rude shock.

All Russia was immediately summoned to arms. The newspaper press, which a few months ago was inspired, gagged and suppressed by the authorities at will, had become so free that it published the manifesto of the revolutionary committee calling the people to arms. This unique document called on the masses to combat the Government, to ruin the finances of the country and demolish their economic basis, to abolish the laws of property, to force capitalists to adopt an eight-hours working-day, while increasing instead of curtailing the wages, to give soldiers and sailors the right to elect their own officers.

Moscow was up in arms. Kharkoff, Odessa, Kieff, the Baltic Provinces, the Caucasus, had all risen against the Government and were operating simultaneously and more or less successfully. Twenty-two railways were about to strike. The newspapers in both capitals had ceased to appear. The troops were few in number and not all trustworthy. Fresh contingents could not be drafted to the capitals owing to the strike. Alarming tidings kept coming in from the provinces hourly. The Tsar was reported to have fled, the soldiers were stated to have gone over to the rebels, republics had been founded in various parts of Russia, the days of the dynasty were numbered. A new era of democratic prosperity was about to begin.

But, before building up, it would be necessary to pull down. In the country, the peasants burned the castles, manors, houses, farms of the land-owners, pillaged their corn, slaughtered their horses and oxen, destroyed agricultural implements in order that the gentry should not be tempted to return. In the cities, the banks were to be forced to suspend payment, industrial works and factories to close, and the *bourgeoisie* to suffer and disgorge. Class was to rise against class; all privileges were to be abolished, including that of private property.

In Moscow the rebels, who operated over an area representing three concentric circles, endeavored to shut the troops, who num-

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bered between five and nine thousand, in the inner one, and then by occupying the various railway stations to hinder the arrival of reinforcements. If successful, they would thus have enclosed the soldiers in a sort of cage, where the troops would have been physically exhausted and finally forced to surrender. The plan was ingenious—and the conditions favorable; for part of the soldiers seemed to waver between monarchy and revolution. Indeed, the infantry were so doubtful that the officers thought it better not to subject their allegiance to a severe test or their firmness to a powerful temptation. But circumstance, which is stronger than human will, precipitated matters and solved the question. Sorely pressed on all sides, the commander had to let the infantry participate in the fight. The rebel workmen, seeing them, cheered lustily and cried, "Down with the Tsar!" "Long live the Republic!" The soldiers, who have numerous grievances of an economic nature, but no dislike of the Tsar, refused to cheer. They hissed. Then the workmen opened fire upon them.

The fidelity of the soldiers decided the issue. Only two railway-stations were seized by the rebels, who were thus unable to hinder the arrival of fresh contingents of troops. But none the less the fight was desperate. Barricades were erected with a degree of speed and solidity that astonished the military; and no sooner were they destroyed by field-guns in one place, than they were rebuilt in another. Gates, doors, telegraph-poles, wooden houses, electric tram-cars, barrels, baskets—everything was utilized, and then the whole bound firmly together with wire or with water which was soon turned to ice. Behind the barricades, the rebels fought together, at first in large numbers, but afterwards in groups of two, three, or four; never more than five. Their tactics consisted in drawing the troops to the barricades, which were surmounted with red flags, and then shooting them down like game from behind windows, doors or roofs of the houses. For bitter hatred sprang up between rebels and troops. Many of the narratives of the day's operations make one shudder. Thus the revolutionists, who frequently made use of disguises and other ruses to deceive their foes, are alleged by the authorities to have gone about in ambulance-carriages bearing the red-cross mark, and when near the soldiers to have opened fire upon them. After that the troops refused to spare ambulance-carriages.

A blood mania seemed to have taken possession of the combat-

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ants and of many of the onlookers as well. People killed their neighbors "for fun" and took a wild delight in it. One man, a respectable porter, spent all his time during the daylight firing at passers-by from a little window, until on the sixth day, after he had killed many, he was himself "potted" by the insurgents. Another man went up into a belfry and, taking deliberate aim, fired upon all and sundry, wounding some and killing others, until the troops espied him and put a stop to his amusement. Others simply ran amuck and shed human blood until they were cut down by one or other of the combatants. The police were the special objects of attention on the part of the insurgents. Their officers were watched, waylaid, and put to death without mercy. Nearly seventy were disposed of in this manner.

The railways being in the hands of the Government, fresh troops were at last despatched from St. Petersburg, and at their head was a man resolved to show no weakness. From the moment when the Semeonoffsky regiment entered the ancient capital of Russia, the insurrection was doomed. Further and further from the inner ring the insurgents withdrew, always raising barricades, always fighting with a heroism of which Russians generally are proud. The Prokhoroff Works formed their last great stronghold. In one of the buildings of that factory, the revolutionary tribunal, hospital and arsenal were situated. When it was invested with troops, the Governor-General summoned the workmen to surrender. They refused at first, but afterwards hoisted a white flag. An officer was delegated to negotiate with them, but when he arrived they killed him. Then the field-guns were brought into action, and later on several hundreds of rebels gave themselves up, and having sworn allegiance to the Tsar were released.

That was the end of the insurrection for the time being. The revolutionary papers maintain that it is only postponed, not abandoned. Next Spring, they add, it will break out anew, better organized, surer of success. The Government, on the other hand, announces its determination to put down, not only armed revolt, but every attempt to organize it. It will permit no more railway or telegraph strikes, no more incitements to insurrection. The moment any such combinations are being arranged, semimartial law may be proclaimed, and, when the strike once breaks out, real martial law with all its concomitants. It still professes its intention to grant all the liberties outlined in the Tsar's October

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Manifesto, and to allow the Duma to work out others on the basis of those, but above all things else it insists on the cessation of violence. And external order is being reestablished in many districts.

But as yet nothing is definitely settled. The insurrection is not yet quelled in the Baltic Provinces, where the peasants have burned nearly all the old historic castles with their priceless treasures. General Orloff, with his military expedition has, indeed, arrived on the theatre of the disorders and is driving the rebellious peasants northwards before him, but Esthonia may have revolted before he finishes with Livonia. In those parts of Russia, cruelty assumes more revolting forms than in Moscow. Sometimes it cannot be distinguished from wanton malice of a diabolical kind. Thus several partisans of the Government were treacherously attacked and burned alive; others were killed slowly in Chinese fashion, having their ears and noses sliced off first. Letts and Esthonians are moved, not only by a natural and even legitimate desire to shake off the Imperial yoke, but also by race hatred which engenders the fiercest passions. They loathe the German barons, and history tells us that they cannot be reasonably expected to do otherwise. But they too will doubtless soon be forced to submit.

In the Caucasus, the conditions are more complex, but, owing to the internecine strife of the races themselves, more favorable. For where there is no union there can be little strength. Unhappily, former governments of the Autocracy built all their Caucasian policy upon dangerous applications of the maxim: "*divide et impera.*" The most remarkable episode of the disorders in the Caucasus was the humiliating decision come to by the Viceroy: in order to save the city of Tiflis from becoming the battlefield of Armenians and Tatars, he armed five hundred Social Democrats who are as strongly opposed to violence and bloodshed as to the Tsardom and the *bourgeoisie*. That measure marks the low-water level of the monarchy during the Russian revolution.

But, even after the people of the Baltic Provinces, of Central Russia and the Caucasus have laid down their arms and begun to work legally, constitutionally and normally for further liberties, it will need a considerable time and very strenuous efforts to repair the incalculable damage done to the Russian classes and masses by the persons or institutions responsible for the disorders that followed upon the Tsar's Manifesto of the 30th of October.

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CONSTANTINOPLE, *January, 1906.*

A GENERATION ago, the coercion of the Sultan by the joint fleets of the Powers which signed the Treaty of Berlin would have seemed an event of import and consequence. But international politics no longer means the affairs of a Continent, and Europe has lost the old sense that a certain primacy of interest belongs to all that happens within her own borders. The last debt-collecting expedition to Venezuela attracted more attention than the December descent on Mytilene. It was a purely official undertaking, and even the democracies of England and France, absorbed in watching the vaster spectacle of Russia in revolution, as well as in preparing for General Elections at home, were content to allow their Governments to manage the affair, without a word either of criticism or encouragement. The Sultan has long since grown accustomed to these demonstrations. Technically, the Powers used force, and occupied Turkish territory; but their Embassies transacted their routine business as though nothing unusual were happening. As a measure of coercion, the demonstration was a trivial and inconsiderable incident. It was necessary only because, in the long duel between the disunited Concert and the obstructive Porte, the ordinary terminology of diplomatic intercourse has lost its meaning. On paper, the Powers are invariably united and always urgent for reform; but this habitual insincerity is so well understood by the Porte that some overt action is always necessary on the rare occasions when they care to be believed. On this occasion Lord Lansdowne, at least, was in earnest, while the indifference of his associates was so profound that they had not even the heart to oppose him. Germany, it is true, stood aside; but her object was evidently merely to secure certain Turkish official contracts worth some two millions, sterling; and, to this end, it was sufficient to desist from the joint process of coercion without actively opposing it. When once the fleets were in motion, the rest was inevitable. However little the majority of the Powers may have cared for the cause they had taken up, their prestige required them to obtain some show of concession. The Sultan yielded as soon as the Ambassadors were tired enough to consent to discuss a compromise. The result is worthy of the insincerity of the whole proceeding. It saves the face of Europe. It establishes a nominal international Financial Control in Macedonia. It is a victory for the Concert

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and a defeat for Turkey. If it will bring no real appeasement to Macedonia and effect no substantial alleviation in the peasants' lot, that can matter little to most of the Powers concerned. In all their debates over precedence and prerogative, there is no evidence that the distracted figure of the Macedonian villager had ever troubled their imaginations.

The real interest of the new departure lay, not at all in the process of imposing it upon the Turks, but rather in the prior negotiation among the Powers, which occupied the first five months of 1905 and narrowed itself down to a debate between England and Austria. An English Blue-book has told us something about these discussions, but its discreet revelations are veiled in the usual reticence of diplomatic language. Its position was, in brief, that, in a moment of preoccupation and indifference, after the alarming little episode of General Tzoncheff's raid into Macedonia in the winter of 1902, Europe had conferred upon Austria and Russia an exclusive mandate to reform Macedonia and control its administration. The other Powers resigned their initiative in all future changes, and their consuls on the spot tacitly abandoned their prescriptive right of interference and remonstrance in the details of local administration. The two Eastern Empires were formally recognized as the "interested" Powers, and the Concert divested itself of its prerogatives in their favor. Austria and Russia preserved a timid and conservative policy, suggested a minimum of reform, and took no pains to make the authority of their agents a reality. But, precisely because they did so little, it was to be feared that they might be accumulating arguments for some more effective intervention in the future. When the chaos became quite intolerable, when the incompetence of their official protectors had driven the Macedonians to a general revolt, it was to be foreseen that Austria and Russia might feel disposed to interpret their mandate as a permission to embark on some project of military occupation. If they alone were the interested Powers, they alone would have the duty to restore order and the right to reimburse themselves by a virtual annexation. That would have meant, in the end, not merely a partition of Macedonia between Austria and Russia, but the throttling of most of the free states which have been carved out of European Turkey. Servia and Bulgaria must have become mere *enclaves* in two overwhelming Empires; and, if they had retained a nomi-

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nal independence, it could only have been as the parasites and feudatories of the great neighbors, who dominated their ports, held their gates, and controlled their commeree. This mandate was renewed in the autumn of 1903, when the Mürzsteg scheme was accepted by the other Powers. It is true that a substantial breach was made in it by the *gendarmerie* reforms, which placed a corps of European inspectors, drawn from all the Powers alike, under an Italian general; and divided Macedonia into five sections, each supervised by officers of a single nationality. But the general business of political control, and the initiative in all reforms and remonstrances, were still left in the hands of the Austrian and Russian agents.

Happily, the Sultan had accepted the Mürzsteg programme only for two years, and the question of its renewal gave Lord Lansdowne some opportunity of discussing the status of the two "interested Powers." The Macedonian rising of 1903 and its brutal suppression had meanwhile aroused a current of interest and sympathy in Western Europe. It was, then, with some support from public opinion in France and Italy, as well as in England, that Lord Lansdowne began his conversation with Austria in the first weeks of 1905. Austria, moreover, stood unsupported; for Russia had anxieties more intimate than the anarchy in Macedonia. Besides, the state of Macedonia, more chaotic after two years of reform than it was when the Turks ruled uncontrolled, was an obvious argument for change, an argument reinforced by the manifest inability of one of the two "interested" Powers to use its influence in the pacification of Macedonia. But to deal with Austria even in isolation was not an easy task. To bargain with an Empire which has a purely Continental outlook is hardly feasible; and Austria has no alert and powerful democracy to whose humane concern for the populations of Macedonia a disinterested appeal could be made. In the Macedonians, the dominant Germans and Magyars have always seen, not suffering peasants who demanded some relief from an Oriental tyranny, but rather so many millions of Slavs who might march, if they were liberated, as the vanguard of a hostile race. Tradition in Austria has always urged the maintenance of the *status quo;* and, if the remoter future is ever considered, the more enterprising school dwells on the commercial and naval advantages which would spring from the annexation of Salonica. What

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arguments Lord Lansdowne may have used to break down this conservatism and frustrate these ambitions is something of a mystery. He certainly hinted that the renewal of the mandate was a matter for discussion and might be subject to conditions. He may have urged that a free and contented Macedonia, under an international control, would be a better market for Austrian industry than a chaos in which the railroads carry few freights save cannons and munitions. He may even, as Victor Bérard conjectures, have thrown out a suggestion that Salonica, pacified and neutralized, might serve, instead of Marseilles or Brindisi, to the great profit of the Austrian railways, as the natural port for British traffic with India. More probably, he found Austrian diplomacy puzzled and unnerved by its isolation, taken unawares in its wholly empirical policy or drifting, busied with the cares of the Hungarian broil, impotent to suggest a hopeful alternative, and forced in the end to follow the line of least resistance by acquiescing in the views of the Western Powers. Not all his proposals were accepted; but he did succeed in securing the admission to a Board of Financial Control of delegates from the four Powers, whose interest in Macedonia had hitherto been ignored. The fiction that Austria and Russia enjoy a certain precedence still survives, but the main business of control has been taken out of their hands. The future of Macedonia must, henceforth, follow the lines laid down in the *gendarmerie* scheme and the financial *règlement*. Macedonia will not be annexed by Austria and Russia, nor will the Balkan peninsula be absorbed in two vast Imperial systems. It will become an international province under Turkish suzerainty and European control. The successive stages of compromise by which Lord Lansdowne's proposal has been weakened, first in the negotiations with Austria, and then in the settlement with the Porte, do, indeed, destroy its value as an immediate programme of reform. It will not render life tolerable to the Macedonians, but it assures a future to Macedonia.

Alike by its limitations and by the ample rights of direct sovereignty which it still leaves to the Sultan, the scheme which was imposed upon him in December stands doomed to failure. It applies only to Macedonia proper; for the British proposal to extend it to Thrace (Adrianople) was brusquely negatived, and the Bulgarian population of the northeastern districts of that

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neglected province will still bear the full brunt of a racial persecution. It does not touch the army, which Lord Lansdowne had wished to reduce in numbers and to subject to the civil authority. Its functions are limited to a supervision of the budget and the collection of the revenue; it will not have the right, with which the British Government wished to invest it, to handle general political questions. That means, in the concrete, that Hilmi Pasha, who represents the Sultan in Macedonia, will still be free to foment the feud between Greeks and Bulgarians, to assist the former by conniving at the activity of their bands, and to provoke and weaken the latter by exiling their teachers and priests and closing their churches and schools. Finally, even in the realm of finance, it will be little more than a deliberative body. Its decisions require the sanction of the Sultan; and, where they are of an executive character, Hilmi Pasha is formally permitted to refuse to carry them into effect and to refer the dispute to Constantinople, there to be debated between the Embassies and the Porte. Even the machinery of supervision is inadequate; for the three travelling inspectors employed by the Board of Control, on whom will fall the invidious and unpopular work of detecting the corruption and extortion of the local officials, will themselves be Ottoman subjects, and will enter the Turkish service. Apart from these details, which are really of the first importance, the prospects of the scheme are wrecked by the arrangement which deprives the European delegates of all administrative authority. Hilmi Pasha is the executive officer of the Board, and, even if he should not think it prudent to oppose them frequently by a direct defiance, he has it in his power, by occult obstruction, calculated delay and half-hearted acquiescence, to frustrate their whole activity. He is, from the standpoint of Yildiz Palace, the ideal man for his post—clever, laborious, plausible, filled with a sentimental loyalty to Abdul Hamid, and ready to use his talent for diplomacy and intrigue to defeat in detail the reforms which his master has been compelled by force to accept in principle. The history of the Financial Commission can only repeat the depressing experience of the *gendarmerie* officers. Deprived of executive authority, it will find that its only function is to study a chaos which it cannot cure. There will be no guarantee of honesty and solvency, as there will be no pledge for order and security, until the Board of Control becomes the

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supreme authority in Macedonia, until its members are recognized as the hierarchical chiefs of the local officials, and until European officers wield a direct command over the whole *gendarmerie*.

While the Ambassadors seem to have felt a certain mild satisfaction, because the appearance of the united fleets at Mytilene induced the Sultan to retreat a step and transfer the field of conflict from Constantinople to Salonica, it is significant that the Macedonians sang no pæans. They have no illusions about the success of the new scheme, and see in the new European delegates only a fresh detachment of "technical advisers," who will keep step with the *gendarmerie* officers in the dismal work of marking time. They are in the throes of a furtive civil war—Bulgarians against Turks, Greeks and Turks against Bulgarians and Vlachs. Massacres are not infrequent, assassinations and ambuscades continual. The Turkish soldiers join in the forays of the Greek bands against Bulgarian villages, the markets are deserted, the roads impassable, the distant fields are left unploughed, while the closing of their churches and schools threatens to destroy their hope of civilization. To them a scientific budget seems a luxury: what they ask is some measure of elementary security. They would have trusted such a Board as Lord Lansdowne sketched to win this for them, but they have no faith in an advisory Commission. They waited until it was clear that the international demonstration would end in compromise, and then they closed up their fighting ranks, composed the feud which has long weakened and divided their two insurgent Committees, and organized in Bulgaria itself a new and united auxiliary Committee, whose business it will be to collect funds for a fresh campaign. It is easy to predict the future. Hilmi Pasha will use this menace as an excuse for fresh measures of repression. He will discuss reforms suavely and politely with the Financial Commission, and leave their Board-room to concert wholesale arrests, to strengthen his curfew ordinances and to disperse among the villages the troops who will goad them to revolt. Already munitions are being massed at Adrianople; for, when the insurrection does break out, it will be no mere local Macedonian conflict, but a formal war involving the whole Bulgarian race.

Macedonia is, unfortunately, only one of many anxious points in the Near East. The Cretan revolt has been damped down for the winter months, but the Powers show no sign of using the

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interval to redress the genuine grievances of the islanders. The Yemen rising was partly crushed, partly bribed into tranquillity; but the starving Turkish levies are now engaged in stirring fresh trouble by collecting overdue taxes in regions which have hitherto acknowledged only a nominal allegiance. Worst of all is the outlook in Armenia. The Russian authorities, who armed the Tatars against the Armenians of the Caucasus in the spring and summer of last year, seem to have attempted in the winter to restore the racial equipoise by arming the Armenians against the Tatars. The inevitable massacre followed, and Moslem refugees have come crowding in their thousands over the frontier into Turkish territory. Abdul Hamid is quite capable of conceiving the bold plan of intervening with an army corps to restore order and uphold the prestige of Islam in the Tsar's dominions. The easier course, however, will be to employ these refugees in the congenial task of slaughtering and pillaging his own Armenians. If Europe remonstrates, he will inquire why Europe kept silence when the Tsar's agents were organizing Jewish massacres. A Europe, with patches in its civilization, and blind spots in its conscience, comes hampered and discredited to its task of guardianship.

WASHINGTON, *January, 1906.*

WHEN Congress reassembled after the holidays it was observed that the attitude of both Chambers towards the Executive was decidedly less deferential, and it began to look doubtful whether all or most of the measures of foreign or home policy known to be favored by Mr. Roosevelt will be inscribed upon the statute-book. The Senate has not yet acted on the Dominican Treaty, and Republican, as well as Democratic, Senators have expressed regret that our Government should have taken part in the conference now going on at Algeciras with regard to the affairs of Morocco. The Philippine Tariff bill, after being subjected to an amendment of no great importance, has been passed by the House of Representatives, but it has still to face the Senate, and the prospect of its enactment into law in its present form is not unclouded. At the hour when we write, the bill introduced by Representative Hepburn, which is understood to embody the views of the Administration with reference to Government rate-making for railways, has not been reported to the House from

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the committee to which it was referred. The Statehood bill, in pursuance of which, if enacted, Oklahoma and the Indian Territory will be admitted to the Union as one State, and Arizona with New Mexico as another State, still awaits debate in the House of Representatives. The insurgent Republicans hope to defeat it. Congress has given the Executive the eleven million dollars needed to meet the disbursements of the Panama Canal Commission which will have been made by April 1; but the conditions under which further appropriations will be granted are, as yet, undefined. It appears to be inevitable that after March 1 the maximum duties now prescribed by the latest German tariff will be imposed upon American products imported into the German Empire. The assent of our Senate to a reciprocity treaty with Germany is out of the question, and the German Government is said to have declined to accept a proposed modification of our administrative regulations at ports of entry as an equivalent to the tariff concessions desired by us. The imposition of the maximum duties on American products imported into Germany is expected to be followed by retaliatory legislation on our part, and two bills to that end have been introduced—one in the Senate and the other in the House. The bill of which Senator Lodge is the author or the sponsor proposes to establish maximum and minimum rates, of which the latter would be lower than those of the Dingley Act, while the former would be higher. The House bill also proposes to establish maximum and minimum rates, but it would make the latter identical with those of the Dingley Act, and the former considerably higher. Should either of these bills become a law in its present form, it would become incumbent on the Executive to impose a duty on the coffee of Brazil, because that country has discriminated against commodities of the United States. We scarcely need point out that any considerable duty on Brazilian coffee—a duty, let us say, of twenty-five per cent.—would improve signally the economical conditions in Porto Rico. It is an ill tariff wind that blows nobody any good.

The Morris incident has attracted a good deal of attention, mainly because it was made the pretext for a violent denunciation of the President by Senator Tillman of South Carolina, a diatribe which was rebuked by the Senate's refusal to consider a resolution providing for an investigation of the affair. The truth

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with regard to the Morris incident seems to have been this: Since the assassination of Mr. McKinley—the third assassination of an American President in about forty years—public opinion has demanded that some precautions should be taken to assure the protection of the Chief Magistrate. In pursuance of the safeguards fixed upon, the White House attendants informed Mrs. Morris that she could only see the President by appointment and, when she declined to leave the Executive Mansion without seeing him, they proceeded to eject her. There seems to be no doubt that, in the process of ejectment, there was a good deal of unnecessary rudeness, not to say violence. Mr. Roosevelt could easily have absolved himself from any personal responsibility from the insolence proverbially characteristic of Jacks in office, but he is the last man in the world to leave even the humblest dependent in the lurch. It is conceivable, however, that, while refraining from administering a reprimand to overzealous subordinates, he might have expressed the regret, which undoubtedly he felt, that a lady's dignity and sensibilities should have been wounded. If it be true that Mrs. Morris was subjected to physical maltreatment, some expression of sorrow and condolence was the more imperatively called for. But we must take men as we find them. They all have the defects of their good qualities. Loyalty to friends and fidelity to followers are traits inseparable from a sturdy, virile and magnetic temperament; but they are not easily reconcilable with the practice of perfect equity and universal sympathy. It is a cold, calculating, unamiable temperament which in every dilemma asks itself the question, Would it not be a good thing for *me* to throw this or that supporter to the wolves? Mr. Roosevelt does not happen to possess that kind of temperament; and, therefore, it might have been predicted that, soon or late, he, like Andrew Jackson, would suffer from the very sturdiness of his fibre. There are times when stanchness is dangerous, and when flexibility is prophylactic.

If the Dominican Treaty had been either ratified or rejected by the Senate, it would have been easier for our State Department to determine just what position it will take with reference to the reported intention of France to coerce Venezuela. It is absurd to suppose that the French Republic would undertake to capture or blockade Venezuelan seaports in order to compel President Castro to receive M. Taigny, recently the French Chargé d'Af-

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faires at Caracas. Venezuela is an inconsiderable Latin-American commonwealth, but its Executive has as much right as the German Emperor himself to decline to hold intercourse with a particular diplomatic representative of a foreign Power on the ground that he is not *persona grata.* We assume, therefore, that, whatever armed demonstration may be made by France against Venezuela, it will have for its purpose the procurement of the recognition of certain claims arising out of contract, including conspicuously the claim of the French Cable Company, whose property at La Guayra has been seized in pursuance of an order of a Venezuelan tribunal. Now this Company has been adjudged by the highest native Court to have forfeited its franchise on the score of various delinquencies, chief among which is the aid and comfort alleged to have been given by it to the rebellion headed by General Matos. It is asserted, and not denied, that the Company's franchise contains a stipulation that, in the event of litigation, no appeal should be taken from the judgment of the highest Venezuelan Court to diplomatic negotiation or to arbitration. The questions, therefore, involved in the controversy betwen France and Venezuela are three: Should we permit a European country to treat the decisions of the supreme court of a Latin-American Republic with a contempt which it would not venture to exhibit toward the similar tribunal of a great Power? Ought we to tolerate the collection by violence from a weak American State of debts arising out of contract? Even if both these questions be answered in the affirmative, should not the French Cable Company be deemed to have waived the privilege of recourse to force, by its acceptance of the stipulation embodied in its franchise? As Mr. Roosevelt pointed out in his last Annual Message, we ourselves, in our dealings with sister American Republics, have never resorted to arms in order to compel the payment of contractual obligations. What does the tutelary function, which we have promised to discharge, amount to, if we suffer a European creditor-Power to subject our wards to treatment from which we ourselves have carefully refrained? It may be said that our duty in the premises is *res adjudicata,* seeing that in 1902 we remained impassive spectators of the blockade of Venezuelan seaports by German, British and Italian warships, and of the subsequent arrangement by which a third of the customs revenues of La Guayra and Puerto Cabello were sequestrated for the satisfaction of obligations mainly contractual.

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We might reply that it is no more an established principle in international law than it is in municipal law, that a single precedent, perhaps ill-advised and regretted, must forever after be conformed to. It is evident from his last Annual Message that Mr. Roosevelt would like to brush aside the precedent made by our State Department in 1902. Evidently, the President does not deem it equitable that a European Power should be at liberty, because it alleges that an American commonwealth has failed to meet certain obligations arising out of contract, to proceed to act as judge, jury and sheriff in its own case. He has suggested that, in such circumstances, it might be expedient for the United States to interpose between the debtor and the creditor, and, having ascertained to what extent, if any, the alleged debts were just, to discharge them by collecting and distributing the customs revenue of the debtor. It is well known that the aim of the Dominican Treaty, now pending in our Senate, is to bring about just such a substitute for a European occupation of American custom-houses. If that treaty had been ratified, we should be in a position to say to France: If you can show that the Cable Company has violated none of the conditions of its franchise, and, consequently, has suffered damages by the suspension of that franchise, or can demonstrate the existence of any other just debts arising out of contract, we will relieve you from the necessity of an appeal to arms. We will ourselves, if President Castro shall request us, undertake to procure for you satisfaction.

As regards the scope of our participation in the Morocco Conference an important statement was made by Mr. Hale, of Maine, the present leader of the Republican majority in the Senate, when the matter came up for discussion; the statement, namely, that, if at any time an attempt should be made at Algeciras to bind the Conferees to an international agreement for any purpose other than commercial, the representatives of the United States would be instructed to withdraw, or, at all events, to refrain from voting on the subject. If such instructions have, in truth, been given, it is not easy to see why we should have taken any part at all in the Conference, seeing that the invitation expressly announced that no attempt would be made to disturb the commercial arrangements effected by the Madrid Conference of 1880 to which our Government was a party. We shall soon know whether Mr. Hale's tranquillizing declaration was well founded.

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CONTRIBUTORS TO THIS NUMBER.

AN AMERICAN CITIZEN

is one of the most distinguished and most widely known of American citizens. From close and continued observation he is familiar with the conditions which prevail in the naval service of the United States.

FRANCIS B. LOOMIS

was born in Marietta, Ohio, and, after graduating at Marietta College, in 1883, joined the staff of the "New York Tribune." From 1885 to 1887, he was State Librarian of Ohio, and resigned that post to go to Washington as a newspaper correspondent. In 1890, he was appointed United States consul at St. Etienne in France, and while there he wrote extensive reports on the labor situation in Europe. On his return, in 1893, he became editor-in-chief of the "Cincinnati Daily Tribune." In 1897, he was sent to Venezuela as Envoy Extraordinary and Minister Plenipotentiary of the United States, and during the four years of his incumbency in that legation he opened negotiations for extradition and reciprocity treaties, and took measures to promote commerce between the United States and South America. He represented his Government at the Portuguese court from 1901 to 1903, and in the latter year he was recalled to Washington to serve as Assistant Secretary of State, a post which he occupied for two years. In 1904, the French Government conferred on him the decoration of Grand Officer of the Legion of Honor.

A. B. HEPBURN,

President of the Chase National Bank, New York, is a native of Colton, New York. Having graduated at Middlebury College, Vermont, in 1871, he was successively instructor in mathematics in St. Lawrence Academy and principal of the Ogdensburg Educational Institute. He was a member of the New York Legislature from 1875 to 1880; Superintendent

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of the Banking Department of the State of New York from 1880 to 1883; United States Bank Examiner from 1889 to 1892; then Comptroller of the United States Currency till 1893, when he identified himself with the banking business of New York City. In 1901 he was a delegate of the New York Chamber of Commerce to the London Chamber of Commerce.

E. T. Bush

has taught for thirty-three years in the schools of Hunterdon County, New Jersey, from the ungraded to the highest. Meanwhile, he has published much, chiefly unsigned articles, including hundreds of editorials on State and national affairs, with occasional contributions to the magazines. With the exception of two years he has lived in rural parts all his life, and for some years he has been engaged in managing his own farm in the neighborhood of Stockton, New Jersey.

Frederic Louis Huidekoper,

a member of the bar of the District of Columbia, was educated at Harvard, at Christ Church, Oxford, and at the Law School of Columbian University, Washington. His military writings—begun, while he was still an undergraduate at Harvard, under the supervision of the late John Codman Ropes, the author of the well-known "Campaign of Waterloo," for whom he did some research work in Paris—have obtained unusual recognition among military men. His articles on the campaigns and battles of Frederick the Great, Napoleon and von Moltke, originally published in the "United Service Magazine," and in the "Journal of the Military Service Institution," the official magazine of the United States army, subsequently appeared in book form in the International Military Series under the title of "Military Studies," the only work by a non-military man accepted for that series. This book has been placed by the War Department in the War College and at West Point, and is known to military critics abroad. Mr. Huidekoper, who has been at work for some years on a history of the campaign of Austerlitz, is one of the few Americans who have been permitted to make extensive researches in the archives of the French, Austrian and Russian War Offices.

The Countess of Warwick

is a well-known leader of English society who has been identi-

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fied with many public movements. She founded a Hostel at Reading in connection with a College for training daughters of professional men in horticulture, dairy, bee and poultry keeping, etc.; a science and technical school, on her Essex estate, for boys and girls in the rural districts of Essex; and, at Warwick, a home for seventeen crippled children, admitted free for an unlimited length of stay. She is President of the Essex Needlework Guild, and of many other societies. She is the author of a work entitled "Warwick Castle and its Earls."

BRANDER MATTHEWS

is one of the best known of living American authors. He was born in New Orleans in 1852, and studied at Columbia College, where he graduated in 1871. He was admitted to the New York bar, but he turned from law to literature, to which, for many years, he has devoted an indefatigable and versatile pen. In 1892, he was appointed Professor of Dramatic Literature in Columbia University.

W. P. LIVINGSTONE,

a native of Scotland, was for over ten years the editor of "The Daily Gleaner," in Kingston, Jamaica, and afterwards the West-Indian and Spanish-American correspondent of the London "Times," in which capacity he travelled extensively, his more recent journeys including one through Haiti and Santo Domingo. He has made a special study of the West-Indian and American negro. He is the author of a work entitled "Black Jamaica," a narrative of racial evolution.

N. I. STONE,

after graduating from Columbia University, was appointed Statistician of the Bureau of Economic Research, which compiled, among other things, a new index-number of prices in the United States, subsequently published by the United States Industrial Commission. He resigned this position to take editorial charge of the department of Countries and Cities in the new "International Encyclopædia," and he is now expert on foreign tariffs in the Bureau of Statistics, Department of Commerce and Labor. Mr. Stone has contributed a number of articles to some of the leading magazines. Among his scientific productions are "A Critical Essay on the Agricultural Census of the United States," "A Study of Agricultural Statistics," "A Report on the

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Effect of Speculation on Prices of Wheat and Cotton" and a volume entitled "The Economic Resources of Siberia."

W. E. HUMPHREY

is the Pacific Coast member of the Merchant Marine Committee of the House of Representatives, and also of the Merchant Marine Commission which was created by an act of Congress in accordance with the recommendation of President Roosevelt. He was born and educated in Indiana, and practised law in Crawfordsville in that State. In 1893, he went to Seattle, where, in 1898, he was elected to the office of corporation counsel. He was elected to the Fifty-eighth Congress by a large majority and reelected to the Fifty-ninth.

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